

THE ISRAELI-PALESTINIAN CONFLICT:
TIME FOR A NEW STRATEGY

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TIME FOR A NEW STRATEGY

Introduction:

The enduring obstacles to peace between Israel and the Palestinians coupled with their changing internal political dynamics have made it extremely difficult for them to resolve their conflict. The resumption of bilateral peace negotiations with US mediation alone will not succeed any more than the Obama administration's two previous efforts. Past failures in the negotiations, however, provide constructive lessons and strongly point to the need for a new strategy, a new framework, and the involvement of new players who can apply conducive, and when necessary, coercive measures that would compel Israelis and Palestinians to commit to reaching an agreement for their own sake. Before the resumption of the negotiations, however, it will be critical to understand the role of psychological resistance, how the changing political conditions in Israel and among the Palestinians make it impossible for the two parties to negotiate a peace agreement on their own, and why past negotiations failed.

In the wake of the shifting geopolitical environment throughout the Middle East, new conditions have been created that make the prospect of negotiating peace far more conducive than in the past decade. To translate that into productive negotiations that will in fact lead to a peace agreement, one critical prerequisite must first be established—a **real commitment to peace** by both Israel and the Palestinians, **which is still lacking**. To demonstrate such commitment, both sides must simultaneously take conciliatory people-to-people measures for at least a year *before* the resumption of negotiations to foster mutual trust towards forging a peace agreement. In that regard, **the European Union (EU) has a critical role to play** to create fertile ground for the resumption of peace talks. These measures are indispensable to begin the process of reconciliation between the two sides as they are central to mitigating the psychological impediments—historical, religious, and ideological—that made it impossible to reach an agreement in the past.

On that basis, this paper advances a framework for peace which is founded on three central pillars: 1) a careful consideration of prior agreements and past negotiations on various conflicting issues, 2) the outside players who are needed to act as facilitators/observers/enforcers/peacekeepers, and 3) a new framework and time frame for the negotiating process. This proposal further provides some measures to deal with problems that could potentially arise during the negotiations that could impede progress once the talks resume. Finally, this paper concludes with a warning to Israeli leadership that unless they change course immediately toward a two-state solution, Israel will become a bi-national state with a Palestinian majority and sacrifice its democracy in favor of an apartheid garrison state.

THE ROLE OF PSYCHOLOGICAL RESISTANCE

The most puzzling aspect of the Israeli-Palestinian conflict is that after 68 years of mutual violence, enmity, and suffering, it remains unresolved even though **coexistence is an irreversible fact** and a two-state solution remains the only viable option. Although there are many contentious issues that must be specifically addressed, it is the psychological dimension of the conflict which directly impacts every conflicting issue and makes the state of affairs increasingly intractable. Therefore, to resolve the conflict, we must first look into the elements that inform the psychological dimension, the alleviation of which is *sine qua non* to finding a solution.

On the surface, the deadlock in the Israeli-Palestinian peace process seems illogical and unsettling. After all, a majority of Israelis and Palestinians realize that coexistence, whether under conditions of enmity or friendship, is a fact that neither side can change short of a catastrophic development. Both sides also understand that the general parameters of a sustainable peace agreement must rest on a two-state solution based on the 1967 borders with some land swaps, Jerusalem remaining a united city (but a capital of two states), and compensating and/or resettling the vast majority of Palestinian refugees in the newly-created Palestinian state in the West Bank and Gaza Strip. These fundamental *imperatives*, coupled with long-term mutual security measures, represent what was on the negotiating table in 2000 at Camp David and in 2010/2011 and 2013/2014 under the Obama administration's auspices in Jerusalem and Ramallah. Each round, with various degrees of progress, aimed at finalizing an agreement and yet ultimately failed to do so. The question is: why?

Biased and selective perceptions, reinforced by historical experiences, religion, and incompatible ideologies, have locked both sides into immobile positions. The factors that maintain and enhance these patterns include emotions such as fear, distrust, and insecurity. The psychological outcome is mutual denial of the narrative of the other and mutual delegitimization. Put together, the operative result is stagnation and polarization. What is therefore needed is a consensus-oriented dialogue at the leadership level by both officials and non-officials, and people-to-people interactions, to resolve the issues of perception – a tall order given the current environment that buttresses rather than ameliorates prejudiced perceptions.

There are certain psychological concepts which are relevant to understanding the Israeli-Palestinian conflict; the concept of *illusion* is an essential one. In *The Future of an Illusion*, Freud offers the following definition: "...we call a belief an illusion when a wish-fulfillment is a prominent factor in its motivation, and in doing so we disregard its relations to reality, just as the illusion itself sets no store by verification."¹ An illusion then is not necessarily an error, unlike a delusion – that is, illusions "need

not necessarily be false... unrealizable or in contradiction to reality.” What is characteristic of illusions is that 1) they are derived from deep human wishes, and 2) the belief is held (or would be held) in the absence of any compelling evidence, or good rational grounds, in its behalf.

Both Israelis and Palestinians are clearly in the grip of very powerful illusions which only serve to prolong the conflict and prevent any mutual understanding. In particular, the belief shared by many Israelis that they have a biblical right to the land (including Judea and Samaria) and that God gave it to the Jews in perpetuity is undoubtedly an illusion of yesterday (see Appendix 2). This belief is affirmed not because there is real evidence to support it (although two Jewish kingdoms did exist on the same land—the first in the tenth century BCE and the second beginning in 539 BCE), but because it satisfies a deep-seated psychological need for a God-given Jewish homeland. The belief that by expanding the settlements Israel will augment its national security is an illusion of tomorrow. It is important to note how these illusions sustain and reinforce one another, and constitute a psychological barrier which is that much more impervious to critical reflection. Israel’s illusions have served to create the **logic for occupation**, ultimately perpetuating the dehumanization of the Palestinians.

The Palestinians, for their part, are not without their own illusions. They believe, for example, that God has reserved the land for them, and appeal to the fact that they had inhabited the land for centuries. The presence of the al-Aqsa Mosque and the Dome of the Rock in Jerusalem attest to their unmitigated historical and religious affinity to the Holy City. They also cling to the idea that they will someday return to the land of their forbearers, as they have and continue to insist on the right of return of the Palestinian refugees, even though this has become a virtual impossibility. **The Palestinians cling to their illusions of yesterday and tomorrow just as blindly and desperately as the Israelis, which leads to resistance to and fear of change.**

This has contributed to making the Israeli-Palestinian conflict both chronic and intractable, as the various illusions are continuously and consciously nurtured by daily encounters between the two sides. It would thus appear that the psychological concept of *resistance to change* is extremely relevant as well. First, a distinction is needed between resistance to persuasion, which is conscious and deliberate, and inner unconscious resistance to change. David Rabinowitz, one of Israel’s leading psychiatrists, observes that an important function of unconscious resistance is that it is protective in nature.²

In seeking bridging concepts that could link the domains of psychology and politics in the Israeli-Palestinian conflict, it could be proposed that a **collective mutual resistance to change protects a vulnerable identity**. Compared to the stable and mature political identities of the American, British, and French nations, the political identities of both the Israeli and Palestinian peoples are, in a way, in their

adolescence, which explains to a great extent why Prime Minister Netanyahu insists that the Palestinian Authority (PA) recognize Israel as a Jewish state. Identities in this setting are more vulnerable, and the protagonists are naturally more defensive and resistant to change. By its very nature, the players must find it difficult (if not impossible) to articulate this publicly, as to do so is to admit this vulnerability.

The concept of *psychological resistance to change* may well affect the political setting in general and the Israeli-Palestinian conflict in particular; it is closely connected to perceptions at many levels. Indeed, psychological resistance provides protection for vulnerable identity formation in the Israeli-Palestinian conflict. It is this mindset, strengthened by historical experiences, which transcends the nearly seven decades since the Israeli-Palestinian conflict began. Individuals and groups, Israelis and Palestinians alike, have and continue to interpret the nature of the discord between them as “you versus me” in a prejudiced and selective way. In turn, this has stifled any new information and enabled the continuing resistance to change, paradoxically revealing new light on the nature and substance of the conflict and helping to advance the peace process.

The concept of *unconscious resistance to change* in this setting links well to the view of perceptions driving polarization in the conflict. Historical experience (see Appendix 1), which formulates perceptions, serves among other things to enhance the sense of identity of “who we really are,” a formative collective assumption that sits at the bedrock of both key players and drives functional and dysfunctional behavior. As Rabinowitz puts it, “the central benefit... this powerful unconscious resistance to change provides is the protection of a relatively vulnerable core identity [primary gains]... Secondary gains, however, are essentially the side-effects of the chronic polarization of this conflict: powerful allies offering material support [the US’ support of Israel and moderate Palestinians versus Iran’s support for Palestinian militants such as Hamas], alluring narratives, public attention, useful alliances etc.”³ In principle, such a mindset prevents either side from entertaining new ideas that might lead to compromises for a peaceful solution. The paradox here is that majorities on both sides *do* want and seek peace, knowing full well that this would require significant concessions, but are unable to reconcile the required concessions with imbedded perceptions that have precluded these compromises as a result of resistance to change.

THE CHANGING POLITICAL CONDITIONS IN ISRAEL AND PALESTINE

The changing domestic political environment in Israel and among the Palestinians, laid out below, demonstrates the psychological and political polarization that impeded progress and why, as a result, **both sides cannot and will not be able to reach a peace agreement on their own.**

The Israelis: The steadily increasing popularity of the right-of-center in Israel made it extremely difficult, due to ideological and religious reasons, for any right-wing government to negotiate a peace agreement, which of necessity requires major concessions that it is not willing to grant. Prime Minister Netanyahu or any other staunch right-wing ideologue may talk about a two-state solution to appease the international community and the political center in Israel, but neither he nor any other hard core rightist leader has any intention of entering into serious direct peace talks with the Palestinians that could potentially lead to a two-state solution. The psychological underpinning behind the ideological, historical, and religious beliefs that Netanyahu upholds makes it impossible for him to negotiate a peace agreement as it inherently contradicts the way he perceives the nature of the conflict and what the end game must be. This attitude is, of course, not limited to Netanyahu alone. In fact, even if Netanyahu decides to negotiate and make certain concessions that could point to the creation of a Palestinian state, his strongly right-wing coalition government would immediately unravel. Many members from his own party would defect; certainly the extremely conservative Jewish Home party led by Naftali Bennett, who insists on building new and expanding existing settlements and calls for the annexation of Area C, which represents 61 percent of the West Bank, will leave the government.

Assuming then that new elections are held in Israel and the center and left-of-center parties form a new coalition government, such a coalition will still be unable to strike a peace agreement without the support of religious parties. This is due to the requirement to evacuate scores of settlements scattered throughout the West Bank and make Jerusalem the future capital of two states, which these parties are not willing to agree upon. In this regard, it is critically important to note that Israel's entrenchment in the West Bank under successive Israeli governments across the spectrum has been due to the settlement movement, which is fully embedded in every branch of government and exercises tremendous influence on the military establishment as well. Therefore, even with the best of intentions, no Israeli government, regardless of its political leaning, will be in a position to deliver the kind of concessions necessary, especially in connection with Jerusalem and the disposition of the settlements.

What further complicates the Israeli-Palestinian conflict is the Israeli political system itself, which inherently promotes the birth of new parties every time there is a new election, due to the low

parliamentary threshold of only 3.25 percent to be eligible to elect one or more members to the Knesset. Since the creation of Israel, no party has been able to muster a majority vote to form a government on its own. As a result, the party that garners a relative majority ends up forming a coalition government composed of several parties. Forming such a coalition government often requires the leading party to make significant concessions to other coalition partners, who almost always end up agreeing on the lowest common denominators on many vital issues, especially in connection with the Palestinian conflict. Given this level of political dysfunction within Israel, it is no wonder that even left and left-of-center parties have been unable to form a government in which there was complete consensus about the peace process and what the desired outcome should be.

Moreover, when the right, left, and centrist parties formed a coalition government in the past, they still failed to reach a peace agreement. Such a government was put together in 2013 out of political convenience for the parties from the right such as Likud, and wishful thinking on the part of the more liberal parties that progress can be made in the negotiations with the Palestinians. Tzipi Livni, then-leader of the centrist party Hatnuah who was appointed as Justice Minister and chief negotiator, was hampered from making any concessions as Netanyahu chose his private attorney Yitzhak Molcho to oversee the negotiations and ensure that Livni did not make any significant concessions without the expressed approval of Netanyahu.

Given the concessions needed to reach an agreement, I do not believe that the Netanyahu-led government is disposed to accepting any framework for peace. The establishment of such a framework by the international community will exert the necessary pressure that could topple Netanyahu's government and pave the way for new elections. The same can be said about PA President Abbas, should he refuse to enter peace talks on the same basis.

The Palestinians: Whereas a majority of ordinary Palestinians are weary of the status quo and seek to end the occupation, their leadership (the PA and Hamas) have thus far failed to agree on common ground to reach a peace agreement with Israel. Although President Abbas demonstrated a keen interest in reaching a peace accord and disavowed violence, he was unable to make any major concessions for several reasons.

First, Abbas was negotiating from a position of weakness, and in order to strengthen his hand, he demanded that Israel make an important gesture first, such as suspending settlement expansion or releasing Palestinian prisoners, which Israel generally rejected. Second, there was and still exists serious political discord between the PA and Hamas, whereby neither can see eye to eye about the negotiating

process. Third, Hamas continues to call for the destruction of Israel, however illusionary, and refuses to renounce violence as a tool to achieve its political objective, which is incompatible with the PA's position. Finally, there is an uncanny rivalry and hatred between the PA and Hamas (especially following Hamas' electoral victory in 2006, after which they were denied the right to govern due to of Israel's intervention, with the tacit support of the PA), and neither trusts the other enough to pursue a political agenda that would serve the ultimate interest of the entire Palestinian community in and outside the territories.

As a result, the formation of a unity government between the PA and Hamas in April 2014 could not be sustained as it was impossible for the PA to present a united front in the peace negotiations. In addition, Netanyahu refused to negotiate with such a 'unity government' as long as Hamas continued to reject the three Middle East Quartet requirements: recognize Israel, renounce violence, and accept prior agreements between Israel and the Palestinians as articulated in the Oslo Accords in 1993 and other subsequent agreements.

Finally, both Hamas and the PA appear to be competing with one another by raising the ante in their constant acrimonious public narrative against Israel, which inadvertently continues to damage their credibility in the eyes of many Israelis. The PA, not to speak of Hamas, seems to want to win the public relations campaign with their own people more than win the peace. Even the PA has made hardly any effort to appeal directly to the Israeli public, which is critically important to change their perception about the PA's real intentions and terms for ending the conflict. This is particularly important since the Palestinian narrative continues to be infused with acrimony, even during the peace negotiations, which was coupled with widespread anti-Israeli teaching in schools and many public and private institutions, with regular media attacks. Consequently, they have nurtured pervasive anti-Israeli sentiments among the Palestinians and strong anti-Palestinian feeling among the Israelis, which further deepens the distrust between them and makes it ever more difficult to negotiate in good faith.

The PA seems to ignore the fact that their constant anti-Israeli public sentiments play into the hands of the powerful Israeli right-wing constituency while weakening the hands of the center and left-of-center, which potentially represents the majority of the Israeli electorate who seek to make peace but remain concerned about the Palestinians' ultimate intentions. In addition, Palestinian officials' public acrimony against the Israelis further stifled the voices of moderate Palestinians, including the media. This left the field wide open for extremists, especially Hamas and Islamic Jihad, to promote their resistance to Israel before a receptive Palestinian public.

To be sure, Yasser Arafat, who was a unifying force that exemplified the Palestinian resistance and enjoyed their trust, concluded that Israel is an irreversible reality and switched gears by signing the Oslo Accords. His successor Abbas, while remaining committed to peace, has not enjoyed the same overwhelming support from the Palestinians. The conflict with Hamas and the loss of control over Gaza further weakened him, making it difficult for him to lead with confidence and take bold steps to advance the peace process. The possibility that Abbas may resign could leave yet another vacuum that few Palestinian leaders can fill. Any new leader, however strong he or she may be, will need the support of outside powers, including some of the Arab states, to move the peace process forward particularly now. Contrary to conventional wisdom, the regional political environment is more favorable to the resumption of successful peace negotiations.

A CONDUCTIVE GEOPOLITICAL ENVIRONMENT

The regional upheaval coupled with the above points may seem to suggest that it will be extraordinarily difficult if not impossible to resume the Israeli-Palestinian negotiations and reach a successful outcome. On the contrary, because of the prevailing political conditions, the psychological impediments in both communities, and the turmoil sweeping the region, the resumption of peace negotiations, after a period of people-to-people reconciliatory measures throughout 2016 and beyond, is as timely as it has ever been and these conditions may, in fact, lend even more urgency in the search for a peace agreement.

There are four fundamental reasons that explain why the present geopolitical environment is conducive for the resumption of peace negotiations and why outside constructive intervention, especially by the EU, has become *sine qua non* to reaching an equitable peace with security.

First, **the regional turmoil**: Contrary to common wisdom, the turmoil sweeping the Middle East, the convergence of multiple conflicts, and future uncertainties have created new compelling circumstances that support the resumption of peace talks. Whereas the regional conflicts – particularly in Iraq, Syria, and Yemen – distract attention from the currently less violent Israeli-Palestinian conflict, the relative quiet is deceiving and cannot be taken for granted. As the Palestinians' frustration continues to grow, so does the risk of an even greater violent flare-up, which can be avoided. Recent violent disturbances (still ongoing as of this writing) in Jerusalem and several other cities only attest to this eventuality.

Although the Netanyahu government denies any connection between the occupation and the violent frenzy sweeping the region, most Israelis and moderate Palestinians are alarmed about the possibility that ISIS will find, if it hasn't already, fertile ground among radical Palestinians who detest the Israeli occupation and their own leaders more than they loathe ISIS. It is true that this has not manifested itself in any significant way as of yet, but it is only a question of time (even if defeated in Iraq and Syria) when ISIS will establish active cells to act against both Israelis and moderate Palestinians. Opening Israeli-Palestinian negotiating channels would prevent such an outbreak and would allow the Arab states to focus on the present danger posed by ISIS and the Sunni-Shiite proxy war (led by Iran and Saudi Arabia) over regional hegemony.

Second, **the Arab States' eagerness to end the conflict:** The Arab states have for more than two decades been calling for an end to the Israeli-Palestinian conflict based on a two-state solution, which was formalized by the introduction of the Arab Peace Initiative in 2002. With the exception of Egypt and Jordan (who forged their own peace agreements with Israel in 1979 and 1994, respectively), the rest remain tied to their position not to normalize relations with Israel before the Israeli-Palestinian conflict is settled. Interestingly, many of the Arab states in the Gulf and North Africa have developed clandestine relations (including exchanging intelligence) with Israel over the past ten years, and they no longer view Israel as an enemy but instead as a potential ally against their common enemies—Iran and ISIS. As they see it, once peace with Israel is established, they can create a crescent from the Gulf to the Mediterranean that will be a formidable bloc against the Iranian crescent, which includes Iraq, Syria, and Lebanon.

Third, **Hamas's new disposition:** The Arab states, especially Saudi Arabia, Qatar, and Egypt, are in a position to exert political and material pressure on Hamas to formally adopt the API, which will provide common denominators with Israel about the principle idea of a two-state solution. Consistent with the API, on more than one occasion Hamas has clearly stated that it is willing to negotiate a peace agreement with Israel based on the 1967 borders. This is not to suggest that Hamas is ready and willing to make the necessary compromises to achieve peace, but it does suggest that Hamas also understands that Israel is there to stay and is now looking for ways to accommodate the Israelis in return for easing the blockade and eventually lifting it altogether, bringing an end to the occupation.

Following the last Hamas-Israel war in the summer of 2014 and the terrible devastation that the Palestinians in Gaza sustained, it appears that Hamas has come to a different conclusion about its “coexistence” with Israel. The Palestinian public in Gaza is mounting increasing pressure, demanding an end to the conflict that has robbed three generations of their basic necessities and left them with no prospect for better days to come, unless some accommodation is reached with Israel. Although many on

both sides characterize the new phase between Israel and Hamas as a “coexistence of convenience,” Hamas does not seek another violent conflagration with Israel. Once the temporary informal ceasefire was established, both Israel and Hamas carefully observed it with only minor violations. In fact, Hamas’ internal security has systematically been arresting and sometime shooting to kill jihadists who are violating the ceasefire.

Fourth, **the US position:** President Obama is unlikely to resume Israeli-Palestinian negotiations at this particular juncture, not only because of political factionalism in Israel and among the Palestinians, but also because he is domestically constrained to pressure Israel unilaterally, especially during presidential elections. Moreover, he seems to realize that any resumption of Israeli-Palestinian negotiations fashioned along the line of previous negotiations with US mediation will fail. That said, he can play a critically important supportive role in any EU efforts to pave the way throughout 2016 before the resumption of negotiations. Given that the US has a moral and material stake in Israel’s well-being and is committed to its preservation, it is in a position to influence any EU initiative to achieve that very objective.

Notwithstanding the fact that Israel has enjoyed tremendous political support from both Congress and the American people, there is a definite shift among the public and leading politicians toward putting the blame on Israel for the continuation of the conflict. By supporting EU efforts (which may entail some tough love), the US can fulfill its moral obligation to best serve Israel’s national security and preserve it as an independent Jewish and democratic state, which for nearly all Israelis is their most cherished dream.

A careful review of the above suggests that due to unfolding regional events, the shifting geopolitical dynamics within the Arab states, the changing nature of the bilateral relations between Israel and the Palestinians, and the strong Western desire to bring an end to the conflict, the conditions are ripe to reach a comprehensive Arab-Israeli peace. That said, neither side on their own will come forth with a genuine framework for peace, and without paving the way for serious negotiations to be led by the EU, restarting the negotiations now will be another futile experience as past negotiations have clearly demonstrated.

WHY HAVE PAST NEGOTIATIONS FAILED?

Although the regional environment is conducive for the resumption of peace talks, no new format for peace negotiations can succeed unless it carefully considers the reasons behind the failure of past negotiations to ensure that the same mistakes are not repeated. The major reason behind the collapse of

past negotiations is that **no effort was made to mitigate the psychological impediments that relate to every conflicting issue through conciliatory people-to-people measures in advance of the negotiations**, blocking any significant compromise without serious domestic repercussions. The following highlights some of the more prominent reasons behind the collapse of prior Israeli-Palestinian negotiations:

Lack of trust: One of the most daunting problems is the **lack of trust** between the two sides, as neither has made any effort to foster it. On the contrary, they have both made demonstrable actions on the ground, such as building and expanding settlements, erupting into wanton violence, failing to interact on a people-to-people level, and engaging in public acrimony in ways that only deepen mistrust. Moreover, personal chemistry and communication between Israeli and Palestinian leaders, which could stimulate trust, was and still is absent.

Disagreement on rules of engagement: Given their stark disagreement on various issues, each side insisted on rules of engagement that supported their perceived reality and were consistent with their outward strategic interests. For example, Netanyahu insisted that the negotiations must first consider Israel's vital national security concerns because of its continued sense of vulnerability. The Palestinians, on the other hand, wanted to negotiate borders first to establish the parameters of their state and define from the onset the space on which the independent state will be established.

Refusing to delink conflicting issues: Both sides have failed to delink the conflicting issues out of fear that making significant concessions without ensuring the success of the end-game would prejudice future negotiations, and therefore they agreed that nothing is agreed upon unless everything is agreed on at the same time. As a result, they have refused to set aside, or "bank," any issue over which they have reached an agreement, as they could not envision a comprehensive peace agreement given their past experiences with one another. This made it difficult to make significant lasting progress as every time they entered into new negotiations, they had to start from scratch.

Failing to engage the public: Both sides have failed to involve their respective publics in the progress (or lack thereof) in the peace process, invite support, and prepare their citizens to accept the inevitable concessions that will be required to reach an agreement. Moreover, the press was left in the dark and was not allowed to witness or gauge any aspect of the negotiations that would engender public discussion, thus leaving the public with little or no expectation or hope that the peace negotiations could in fact lead to an agreement.

Political factionalism: Whereas a majority of Israelis and Palestinians (based on many polls conducted over the years) have steadily supported a solution to the conflict based on two states, political factionalism within both communities and the fear of future uncertainty makes it extremely difficult to concede on this or any other issue. Major opposition from political opponents with differing agendas, though representing a small part of the overall population, has consistently scuttled the peace talks. The settlement movement in Israel and extremist jihadist groups among the Palestinians wield far greater political influence than their numbers warrant, and thus far have succeeded in dashing any prospect for peace.

Power disparity in the negotiations: Whereas Israel enjoys a preponderance of military and economic power that allows it to negotiate from a position of strength, the Palestinians are under occupation with a limited ability to challenge Israel. As a result, they have sought to balance their power relations at the negotiating table or prior to the commencement of the negotiations with Israel by demanding, for example, a freeze of settlement activity or the release of Palestinian prisoners, to which Israel objected.

Lack of a comprehensive US strategy: As the mediator, the US did not follow a carefully constructed framework for the negotiations that could guide both sides to make the necessary concessions to reach an agreement. Indeed, being that both Israel and the Palestinians often vacillated and changed course by design or circumstances, the US (out of frustration) changed its strategic approach in response, thereby losing consistency and control over the negotiating process, which led to repeated failures.

No consequences for failure: Although the US offered economic and security incentives for both to reach an agreement, it lacked a strategic approach and attached no repercussions for failing to reach an agreement. That is, the lack of a mechanism to punish either or both sides for failing to make serious progress made it possible to resist any pressure, knowing that they could do so with impunity. Netanyahu's defiance of the US' wishes to halt the expansion of settlements to create a positive atmosphere for the negotiations offers a case in point.

Absence of bold leadership: There has been a serious absence of courageous and visionary leadership that could move against the political current for the sake of a larger purpose by making important concessions which could advance the peace negotiations. Since the 1993 Oslo Accords, signed by Yitzhak Rabin and Yasser Arafat, neither side has produced a committed leader with the strength and conviction to take a risk for the sake of peaceful coexistence.

THE EU'S INDISPENSABLE ROLE

Given the increasing turmoil in the Middle East, the EU is more eager than ever before to play a larger role in settling the Israeli-Palestinian conflict, which they view as another flash point that adds only more fuel to the regional fire. Europe is suffering from domestic Islamic radicalization and considers the resolution to the Israeli-Palestinian conflict as one of the central components to significantly reducing radicalization at home while protecting their extensive interests in the region. Moreover, the European community has come to the conclusion that Israel's intransigence is behind the stalemate, and that by not acting now, they will in fact render a serious disservice to Israel, which they view as an important strategic ally, especially from a security perspective. In spite of the growing Boycott, Divestment and Sanctions (BDS) movement throughout Europe, they prefer to avoid taking such punitive action against Israel without the support of the US. That said, they appear to be determined to formulate a joint action plan in an effort to end this debilitating seven decades-old conflict, which is bound to explode with greater intensity to their and their regional allies' detriment.

Exactng an irrevocable commitment to peace

The EU must challenge Israel and the PA to demonstrate in words and deeds that they are committed to peace regardless of how difficult it may be to achieve. The commitment to peace is critical because it entails the recognition that **coexistence is a fact that neither side can change under any circumstances**, regardless of how bad the bilateral relations are now and might be in the future. The EU must make it abundantly clear that a **total commitment** to reaching an agreement would of necessity require both sides to undertake measures on the ground to mitigate the psychological impediments and pave the way for making critically important concessions. In reality, if either side is not prepared to take basic reconciliatory measures first, by what logic will they be prepared to make major concessions, without which there will be no agreement? Indeed, they must recognize that they are stuck together and must choose between peace or perpetual self-consuming violent hostilities, which will only deepen the psychological resistance and severely damage the strategic interests between them. Notwithstanding their public utterances in support of a two-state solution, to merely declare their readiness to enter into peace negotiations unconditionally, as Prime Minister Netanyahu often proclaims, or conditionally upon securing certain concessions in advance of the negotiations by the Palestinians, means little.

To be sure, their claim to seek peace is not credible because their day-to-day actions on the ground, such as expanding the settlements or openly calling for the annexation of much of the West Bank by officials in the Netanyahu government, clearly point to the contrary. The same can be said about the

Palestinians' insistence, for example, on the "right of return" and Hamas' public stance that it seeks the destruction of Israel. Regardless of how untenable these demands or aspirations may be, they leave an indelible impression among Israelis and Palestinians alike that the other is not committed to peace and whatever they say or do is merely for public consumption.

As a result, both sides believe that the other is using the negotiating process as a tactical tool to achieve a larger strategic objective to do away with the other. Consequently, both sides have used the negotiating process to play for time, hoping (if not believing) that they can improve their position over time and bring themselves closer to their ultimate goal, or convey the impression that they are negotiating in earnest. In reality, they have come to the point of no return by refusing to accept that neither can fulfill their national aspirations at the expense of the other, and the choices are and will always be between constant violent hostilities or peaceful coexistence.

Finally, the lack of commitment further deepens the distrust between the two sides as there would be no reason by either side to have any faith in the other. For this reason, resuming the negotiations without establishing a high level of commitment to reach an agreement will again be an exercise in futility. To lend real credibility to such a commitment, it will be absolutely critical for both sides to agree to **undertake certain people-to-people activities immediately at least a year before formal negotiations commence.** This is the only way to begin the process of dissolving the psychosocial barriers to earnest negotiations and building the mutual trust that will allow both parties, over time, to see each other in a positive light. This will also help to balance the prevailing sense of empowerment the Israelis enjoy on the one hand, and defeatism from which the Palestinians suffer on the other.

The EU is well positioned to undertake critically important measures on a macro level, especially throughout 2016 and beyond, to pave the way for the resumption of successful peace talks. The opportunity for the EU to undertake such measures is particularly timely as it is unlikely that the Obama administration would push anew the resumption of Israeli-Palestinian talks during an election year.

Given this sentiment in the White House, Obama would more than likely welcome a new EU initiative as long as it is consistent with US policy and designed to take particular steps to begin the process of reconciliation between Israel and the Palestinians. As emphasized earlier, such a process of promoting trust is a prerequisite to overcoming the psychological barriers between them, without which the peace negotiations will fail again. Moreover, reconciliatory measures will provide the next American administration and the EU a far more conducive political environment to restart the negotiations with a

real prospect for success. Notwithstanding the hurdles that some of these measures will encounter, none are impossible to implement provided that the EU works in unison and remains persistent in its efforts.

Abandoning the Quartet in favor of the API

The argument that it is time to revive the Quartet to resurrect the Israeli-Palestinian peace process is counterproductive at best. The Quartet failed from the onset to breathe new life into the peace negotiations; in fact, it has become a major impediment to the peace process. The Quartet's three preconditions, which require Hamas to recognize Israel, accept previous agreements and obligations, and forsake violence before it can become a legitimate partner in the peace talks, are outdated and impractical because these preconditions are tantamount to surrender. These demands on Hamas make it impossible for its leadership to negotiate, and without Hamas' full participation as an integral part of the Palestinian delegation, no Israeli-Palestinian peace can endure even if achieved.

In fact, any Israeli leader who genuinely seeks a peace agreement should not demand that Hamas first meet the Quartet's requirements. Having suffered the indignities of the blockade for nearly ten years, even if Hamas agreed to negotiate under duress from its current position of weakness (either a peace agreement or a long-term ceasefire [*hudna*]), it would only be a question of time when they will rise again to reclaim their dignity. Netanyahu supports the Quartet's preconditions because he knows full well that Hamas will not accept them. Thus, the Quartet has de facto been providing Netanyahu with the political cover he needs to forestall any substantive negotiations, claiming that the Palestinians are bent on destroying Israel while playing Hamas against the PA and vice versa.

The Arab Peace Initiative: The US and the EU, who are the only effective players in the Quartet, must pave the way for serious negotiations in 2016 and beyond, provided that they **make the Arab Peace Initiative (API) framework central to any future talks**. They can persuade several Arab/Muslim states, especially Saudi Arabia, Qatar, Egypt, and Turkey, who enjoy considerable influence on Hamas, to exert political and economic pressure on its leadership to formally adopt the API. In addition, the API provides several common denominators between Israel and Hamas about the principle idea of a two-state solution while offering Hamas a face-saving way out as it makes recognition of Israel conditioned upon Israel's acceptance of a two-state solution based on the 1967 borders. Finally, the API would open the door for Hamas to return to the Arab states' fold and no longer be labeled as a terrorist organization, which is one of Hamas' central demands.

The Arab Peace Initiative (see Appendix 6) is still on the table and can provide an overall umbrella for the negotiations, which would allow the Arab states to lend significant political and material support to the Palestinians in the peace negotiations. Furthermore, since Israel is particularly keen on **ending the Arab-Israeli conflict**, the API provides a clear road map to peace between Israel and the Palestinians in the context of a comprehensive Arab-Israeli peace. The US and the EU can use their leverage on the Israeli government to also embrace the API.

The API calls for full withdrawal from all territories occupied since 1967,⁴ and for “Israel to affirm the acceptance of the establishment of a sovereign independent Palestinian state on the Palestinian territories occupied since June 4th 1967 in the West Bank and Gaza strip with east Jerusalem as its capital.” This represents the essence of the peace talks, and an agreement on these issues remains at the heart of the negotiations.

In regards to the Palestinian refugees, the API stipulates that: “Achievement of a just solution to the Palestinians refugee problem [is] to be agreed upon in accordance with UN General Assembly Resolution 194.” It is critically important to note here that UNGA Resolution 194, which calls for the right of return of the Palestinian refugees, is non-binding, and that the API calls for a **“just solution to be agreed upon,”** which is precisely what Israelis and Palestinians have been negotiating. The “right of return” can in fact be exercised by any Palestinian refugee who wishes to return to his or her own homeland—the West Bank and Gaza. Indeed, both sides have long since concluded that only a token number of refugees can in fact return to Israel proper, and the rest of the refugees will either be compensated or resettled in their current places of residence, or relocated to the newly-established independent Palestinian state.

On more than one occasion (including in 2011, 2013, and 2014),⁵ Hamas clearly stated that it is willing to negotiate a peace agreement with provisions almost identical to the API. Hamas understands that Israel is there to stay and is now looking for ways to further ease the blockade and eventually lift it altogether, which can be facilitated in the context of the API.

In the same vein, the US along with the EU should relentlessly exert intense pressure on Israel to embrace the API as well. Currently, thousands of Israeli notables, including former President Peres, Yuval Rabin (the son of Yitzhak Rabin), former heads of security agencies including ex-Mossad chiefs such as Meir Dagan, much of the academic community, think tanks, retired generals, and more than half of the Israeli public support the API.

A poll commissioned by the Israel Peace Initiative in 2013 found that **55 percent of respondents** support the API; that jumps to 69% if it is supported by the prime minister.⁶ Moreover, there are several political parties in the opposition who view the API as central to reaching an enduring peace. Yair Lapid, the leader of the centrist Yesh Atid party, recently stated: “Convening a regional conference as the opening shot for a comprehensive regional arrangement is the most effective tactical and political tool for getting this process going. The framework of the discussions at this conference must be the Saudi-Arab initiative [the API] of 2002.”⁷

The adoption of the API by both Israel and Hamas will be a game changer, especially now that the Arab states are more disposed to normalize relations with Israel because of the regional turmoil and because both Israel and the Arab states have a common enemy in Iran. Times have changed; the Quartet was defunct from day one, and it will not succeed now by trying to resuscitate it. Instead, the focus must be on the universality of the API, around which a majority of Israelis and Palestinians, as well as the Arab states and the international community, can rally. The Quartet must be abandoned in favor of the API, which has been gaining momentum in recent months absent any other viable alternative framework for peace.

Halting mutually acrimonious public narratives: The EU should insist that if Israeli and Palestinian leaders are truly committed to reaching a peace agreement, they must stop their acrimonious public narrative against each other and instead begin to engage in a constructive public dialogue. Indeed, rather than preparing the public for the inevitability of peace, they are poisoning the political atmosphere and setting one side against the other, creating the perception that peace is tantamount to capitulation and that the differences between them are simply irreconcilable. Since both sides profess to seek peace, however, the EU ought to challenge them to demonstrate that in words and deeds. Reconciliation must begin first by changing the public narrative and action on the ground. Reconciliation connotes a process of mutual acceptance, without which all diplomatic efforts will fail as we have seen time and again in the past.

Israeli and Palestinian leaders must revisit their historic and religious narratives (see Appendix 1 and 2), and make a supreme effort to reconcile between the two accounts. The failure to address these dimensions has allowed both parties to refuse to make necessary concessions on specific issues even though there is only one inevitable solution: for example, reconciling the mutual claim to East Jerusalem from a religious perspective and how the city would become the capital of two states without compromising their respective religious affinity to the holy city.

Another example is the conflict over the Palestinian refugees, which is rooted in their different account of how and why the refugee problem was created. Both Israel and the Arab states precipitated this major problem and both must bear some of the responsibility. Anyone who has any knowledge of the peace process knows that at the end of the day, the Palestinian refugees must be resettled where they currently reside or in the new Palestinian state, and/or compensated. That is, reconciling differing historical or religious accounts requires the admission that on nearly all accounts both are “guilty as charged,” and blaming the other has done nothing but further perpetuate a set of perceptions, reinforced by misleading public narratives.

Israeli and Palestinian officials have a very important role to play by changing their narrative about the conflicting issues. Once the negotiations resume, it is incumbent on both sides to maintain a positive and optimistic public posture. Regardless of whether these negotiations succeed or fail, Israelis and Palestinians will sooner or later face each other again at the negotiating table. The less acrimonious atmosphere they create now, the easier it will be to meet again and continue with the building blocks for durable peace. In that regard, the EU should monitor the Israelis’ and the Palestinians’ public discourse and address any infraction committed by either side.

Modifying school textbooks: It behooves the EU to use its influence on the Palestinians and Israel by insisting that they must begin to modify their textbooks to reflect a truer historic account throughout their educational institutions. This is particularly a sore point for the Israelis, as the Palestinians’ history books refer to Israel largely as an occupying entity. Israel is not delineated in geography books, and in Palestinian maps, the state of Palestine covers what is currently Israel, the West Bank, and Gaza. Although a few years ago Israel modified some of its textbooks, both sides provide inaccurate historic accounts and reinforce that through their public discourse.

As a case in point, Israel does not acknowledge the fact that it had precipitated in parts the Palestinian refugee crisis while a majority of Palestinians blame Israel for causing what they term *al-Nakba* (the catastrophe), and deny that the Holocaust has ever taken place. Both sides continue to promulgate these charges and countercharges, adversely impacting the general mindsets of their respective publics and creating the perception among the old, and especially the young, that peaceful coexistence is not possible. Continuing enmity and future uncertainty has become the norm, even though they know that it is perilously explosive.

Taking no provocative action: The EU should persuade the PA not to go to the International Criminal Court (ICC) to charge Israel with crimes against humanity. Although such a step will have little

effect on Israeli policy, it will enrage the Israelis as they see it as a form of incitement which can only further harden their position. Moreover, the mere threat to seek justice through the ICC will also send the wrong message to the Palestinian public at large that relations with Israel are worsening rather than improving, which has an adverse psychological effect, making reconciliation ever more difficult.

In return, the EU should heavily lean on Israel to take a number of conciliatory measures to demonstrate its willingness to work with the Palestinians in order to create a more positive atmosphere on which to build mutual trust. First, Israel could release over a period of a few months hundreds of Palestinian prisoners who have no blood on their hands. Second, Israel can facilitate the issuance of building permits for the Palestinians to provide them the sense that they are free to strike deep roots in their future state. Third, they must stop the practice of night raids and allow them only under unique circumstances with the presence of the Palestinians' internal security. Fourth, restrictions over the movement of Palestinians within the West Bank should be eased to provide ordinary Palestinians the sense that an end to the occupation is in the offing.

Substantially slow or even halt settlements' expansion: The EU can quietly pressure Israel to substantially slow the expansion of any settlements and by no means establish new ones. This is a particularly sensitive issue for the Palestinians because the expansion of any settlement, even those settlements that will remain under Israeli jurisdiction as a part of a future peace agreement, sends the message that Israel intends on continuously usurping land on which a Palestinian state would be established. Israel could begin the process of incorporating Area B, where Israel maintains security, into Area A, which is under complete Palestinian control, and transfer parts of Area C, which is completely under Israeli control, to Area B.

Israel should not only continue to work together with the Palestinians' internal security, but further augment future cooperation on all security matters. This will help solidify the security cooperation and pave the way for even more extensive joint operations following the establishment of a Palestinian state. It should be noted that current and future violent clashes will be unavoidable and are likely to further intensify as long as the Palestinians see no hope for a better future and the Israelis continue to feel vulnerable about their national security. Alleviating that sense of concern both psychologically and practically has been and remains central to successful peace talks. In that regard, the EU must openly challenge Israel and the Palestinians to prove their commitment to peace by demonstrating their readiness, willingness, and ability to undertake these measures and pave the way for meaningful peace negotiations. It is worth repeating that unless these requirements are met, as the forerunner of the resumption of peace talks, any and all diplomatic efforts to restart the talks will be in vain and will lead to nowhere.

Both Israel and the Palestinians have extensive interests in their bilateral relations with the EU (the EU is the largest trading partner with Israel, and the Palestinians receive the largest portion of their financial aid from the EU). Since the EU also has extensive strategic and economic interests in the Middle East and concerns about Israel's future well-being and seeks an end to the Israeli-Palestinian conflict, it should not hesitate to apply tough measures on both sides and be clear that they will use all the leverage at their disposal to ensure their cooperation.

This includes, among other things, halting the purchase of military hardware from Israel, increasing rhetorical and practical support to the Boycott, Divestment and Sanctions (BDS) movement, denying enhanced status to both sides, i.e. a "Special Privileged Partnership," reducing aid to the Palestinians if they exhibit non-compliance, undertaking academic and scientific boycotts of Israeli institutions, and blocking Palestinian moves at the international level to join certain institutions. As such, neither Israel nor the Palestinians can readily afford to dismiss the EU's demands without consequences as long as the EU remains resolute.

The EU should not be deterred by Israel's suspension of a future EU role in the peace process due to the EU's boycott of certain Israeli products made in the territories. On the contrary, the EU should intensify its campaign in this regard to demonstrate to Israelis and Palestinians alike that there will be a price to pay for defying the international will when the stakes are so high for all concerned. Even more important, whereas Israel can defeat any of its current and potential regional enemies and protect itself for the foreseeable future, the real threat to Israel is from within and no outsider can save Israel from its self-inflicted wounds.

The EU is in a unique position to assume the lion's share of undertaking many if not all of the necessary measures to begin the process of reconciliation between Israel and the Palestinians from now until mid-2017. This is the period of time during which the US is not expected to initiate new negotiations or even play a significant role to ease the conflict; as such, the EU is far better equipped to step in.

Demonstrating commitment to peace on the ground

In addition to the measures that the EU takes, the EU must pressure Israel and the Palestinians to engage in people-to-people measures on the ground, thereby changing the socio-political dynamic between them and demonstrating their irreversible commitment to achieving peace. These measures would facilitate and reinforce the EU's efforts. Some of the following measures are being pursued today but on too small a scale, and have not been employed in a cohesive and consistent manner to create a new

socio-political atmosphere conducive to the negotiating process. The Israelis and the Palestinians must be challenged to implement them zealously if they are really seeking to end the conflict.

First, **mutual visitation**: The Israeli government and the Palestinian Authority must agree to allow mutual visitation. Concerns over security can certainly be mitigated; Israel is in a perfect position to institute background checks in advance along the lines of security procedures in airports to prevent the infiltration of Islamic radicals and weapons. It is hard to exaggerate the value of such visits when ordinary Israelis and Palestinians meet in their respective places of residence to share experiences and understand each other's mindset.

Second, **female activism**: Israeli and Palestinian women should use their formidable power to demand an end to the conflict. They can insist that their respective governments facilitate the gathering of Israeli and Palestinian women, allowing them to share both the pain and agony of the past and the prospects for a better future. Women have far greater sway than men if they join hands, go out in force, and remain consistent with the message to cease all forms of violence. The role of women in ending the conflict in Northern Ireland and throughout the wars in the Balkans offers a vivid picture of how women can impact the course of events.

Third, **joint sporting events**: Israeli and Palestinian football, basketball, and other sports teams can meet alternately in Israel and Palestine to train, compete, and develop camaraderie. This type of competition allows them to have a much better sense of who the other is. The Palestinians will realize that not every Israeli carries a gun and is ready to shoot at Palestinians, and the Israelis will stop equating Palestinian youth to terrorists.

Fourth, **student interaction**: It is time for Palestinian students (primary and secondary schools and universities) to mingle with their Israeli counterparts and talk about their aspirations and hopes for the future. No Israeli or Palestinian child should continue to be fed poisonous ideas that deny the other. On the contrary, students should be encouraged to use the latest social technology to communicate with each other, as the future rests in the hands of these youth.

Fifth, **art exhibitions**: There are scores of Israeli and Palestinian artists who have never met or delved into each other's mindset to see how their works reflect their lives. Joint exhibitions should take place both in Israel and Palestine, touring several cities to allow people young and old to see and feel what the other is trying to express. These cultural exchanges can expand to include music festivals, theater performances, and other forms of art.

Sixth, **public discourse**: Universities, think tanks, and other learning institutions should encourage Israelis and Palestinians to participate in roundtable discussions on the inevitability of coexistence and how both sides can remove the barriers to make it desirable. Such small enclaves can be videotaped and disseminated online to hundreds of thousands of people instantly.

Seventh, **forums to discuss conflicting issues**: Joint forums should be established, consisting of qualified individuals with varied academic and personal experiences who enjoy respect in their field, are independent thinkers, hold no formal position in their respective governments, and have thorough knowledge of the conflicting issues. For example, in addressing the future of Jerusalem, the participants should especially include historians, religious scholars, and imams, rabbis, and priests representing the three largest monotheistic religions. Even though Jerusalem may well become the capital of two states, debating other possibilities is critical, if for no other reason but to demonstrate why other options will not work.

Eighth, **the role of the media**: Israeli and Palestinian media should begin to report on positive developments between the two sides to inform the people that the bilateral relations are not all gloomy. For example, they can discuss ongoing trade, security, and health care cooperation, Palestinians studying in Israeli universities, etc. In this sense, the role of the media becomes critical to disseminate information about the need for public-to-public interaction. The media should publicize these events as they occur and columnists and commentators should encourage more such activities. Moreover, the media can play a pivotal role in shaping bilateral Israeli-Palestinian relations, emphasizing the fact that there are two peoples who will be living indefinitely side-by-side, and that cooperation between the two is imperative to their welfare and future well-being.

I must stress here that these reconciliation measures must be front and center throughout 2016 and beyond, as they offer the building blocks for reaching a solution, without which there is no point in resuming the negotiations.

PROVISIONS FOR A FRAMEWORK FOR PEACE

Unlike previous peace efforts by the US, the Obama administration, together with France, Britain, and the leading Arab states (particularly Egypt, Saudi Arabia, Jordan, and Qatar), should take the initiative to convene an international peace conference. The alternative is the introduction of a UNSC resolution. The idea behind such an initiative or resolution is to persuade/compel/incentivize any current

or future Israeli government and the Palestinian Authority to abide by it, provided that the resolution is equitable, offers peace and security to both sides, and has a credible enforcement mechanism.

By the same token, the full implementation of the framework for peace ought to demonstrate the enormous benefits that both can derive from reaching an agreement consistent with their national aspirations in the context of a two-state solution. To that end, both the Israeli and Palestinian publics ought to be enlisted in support of the initiative, understand its benefits, and become more disposed to exert pressure on their respective governments. The EU, which has major stakes in the Middle East, should assume a greater role and use its leverage on both Israel and the Palestinians to nudge the peace talks forward.

Any framework for peace must include provisions that would dramatically increase the odds in favor of a solution. The negotiations should commence, at a minimum, after one year of taking reconciliatory measures, as outlined above, to create both the atmosphere and the trust necessary to start the negotiations in earnest. At the expense of repetition, unless both sides are willing to engage each other on these levels, there is no point in entering into any new peace negotiations.

First, **the Arab Peace Initiative**: The most critical provision of the peace talks must be based on the general outline of **the Arab Peace Initiative** (see above). All Israeli-Palestinian negotiations ought to occur in the context of the API so that a peace agreement between Israel and the Palestinians will lead to a comprehensive Arab-Israeli peace, which both the Israelis and the Palestinians strongly aspire for.

Second, **the rules of engagement**: Unlike previous negotiations, it is critically important to begin the negotiations with borders. Negotiating borders first will give the Palestinians the confidence that they are on their way to the establishment of their own state and would allow them to make certain important concessions the Israelis seek: for example, mitigating issues of national security, as Israel links elements of its security to defensible borders and its demand to maintain residual security forces along the Jordan Valley for a number of years. Moreover, determining the parameters of the borders first would also facilitate the solution to much of the Israeli settlements, especially those built along the 1967 borders. This is particularly important since Israel will have to suspend settlement expansion during the negotiations; an agreement on borders first will allow the Israelis to continue expanding the settlements that will be incorporated into Israel proper while negotiations on all other issues are continuing.

Third, **the venue**: It is crucial that the venue for the negotiations be in Jerusalem to signal from the onset that Jerusalem represents the core of their coexistence and the foundation on which peace can be

erected. Indeed, Jerusalem is not just another venue; it is unique in that it has the largest concentration of Israelis and Palestinians living in proximity to one another, houses shrines holy to both Jews and Palestinians, will have to be the capital of both states, and will offer, as it has in the past, a microcosm of Israeli-Palestinian peaceful coexistence.

Fourth, **the time frame**: The peace negotiations should be limited to eighteen months (with a possible extension of an additional six months) to reach an agreement based on a two-state solution. Past experience has shown that the negotiations cannot be conducted on an open-ended basis. Both Israelis and Palestinians alike have the propensity, and even the interest, to prolong the negotiations, hoping to improve their position over time or remain obdurate and uncompromising to force the other's hand as time passes. Finally, given that all conflicting issues have been hashed and rehashed, prolonging the negotiations needlessly provides the opportunity for internal or external forces, who are against the peace, to disrupt the process, something that must be prevented.

Fifth, **the role of outside players**: The direct involvement of outside players is central to the success of the negotiations. It should be noted that whereas the US is seen as a supporter of Israel and the only country that can exert pressure on it to make the necessary concessions, the EU is viewed to be more aligned with the Palestinians, thereby creating a counter-balance to the American stance. The presence of four leading Arab states—Egypt, Saudi Arabia, Jordan, and Qatar—will a) assure the Israelis that the Arab world stands behind these negotiations that will eventually lead to a comprehensive Arab-Israeli peace, and b) lend special support to the Palestinian Authority, without which it will be unable to make any significant concessions, especially on the Palestinian refugees and the final status of Jerusalem, both of which are essential to guaranteeing the support of Arab world.

Sixth, **consider prior agreements**: In order to avoid starting the negotiations from scratch and wasting valuable time, the resolution should provide a framework for the negotiations based on prior agreements arrived at in 2000 at Camp David under the Clinton administration, and in 2010-2011 and 2013-2014 under the Obama administration. The US is fully aware of all previous negotiations and the areas of agreement (partial or full) between the two sides; negotiations should resume from these points. There is a clear understanding, for example, on the future of the Israeli settlements along the 1967 borders and the land swaps that will be necessary to compensate the Palestinians for the territory on which these settlements have been built. They have also nearly reached full agreement on the Palestinian refugees and the manner in which to address the principle of the “right of return.” In addition, it will be necessary to establish a timeline to negotiate each conflicting issue.⁸

Seventh, **engage in a positive public discourse**: Both sides must support the negotiating process by engaging in a positive public narrative while the negotiations are in progress. Israeli and Palestinian officials have a very important role to play by changing their narrative about the conflicting issues. Whether or not these negotiations succeed, the less acrimonious atmosphere they create now, the easier it will be to meet again and continue with the building blocks for a durable peace, as long as the commitment to reach an agreement is a given.

This is particularly important because negative statements lower public expectations instead of fostering hope for reaching a breakthrough. Moreover, unlike previous peace negotiations during which the public remained in the dark, it will be necessary to share elements of the progress being made. Doing so would allow the public to envision the new horizon of peace, support the negotiating process, and most importantly, understand the need for making concessions to reach an equitable peace with security.

Eighth, **delink conflicting issues where linkages impede progress**: One of the reasons why previous negotiations were stymied is largely attributed to the fact that both Israelis and Palestinians linked a solution for one conflicting issue to another. To correct this, for example, the fate of the three settlement blocs along the 1967 borders and the settlements built in East Jerusalem should not be connected to the future disposition of the rest of the settlements throughout the West Bank.

Delinking is critical not only because it facilitates progress on a specific conflicting issue, but it allows both sides to develop a vested interest in the negotiating process and provides the impetus for negotiating other issues with greater confidence that they can be resolved as well. That said, occasionally linking a solution to one issue in order to find a solution to another could be helpful, such as linking the issue of borders to the extent of the land swaps to accommodate the three blocks of Israeli settlements, as the two issues are interrelated and will have little or no impact on another unresolved problem.

Ninth, **identify the consequences of failing to reach an agreement**: Both Israel and the Palestinians must understand that the international community is frustrated with the lack of progress and will no longer tolerate an ongoing conflict that consumes both sides at a horrible cost in blood and treasure. The continuing conflict also undermines regional stability and their national security and other interests while endangering the strategic interests mainly of Western powers, who often find themselves dragged into a violent conflict not of their choice, such as the case in Syria's civil war and the war against ISIS.

Punitive actions may take a number of forms, including sanctions, removing automatic political cover for Israel by the US at UN agencies, exerting financial pressure on the Palestinians, etc. One thing, however, must be kept in mind—the facilitators ought to remain united and resolved to work closely with both sides, help foster trust, and provide incentives to encourage greater cooperation rather than negotiate under the threat of punitive actions. Such incentives could include a commitment on the part of Western powers and oil-rich Arab states to raise the billions of dollars necessary to compensate and/or resettle the Palestinian refugees, provide Israel with any additional military equipment it may need to further enhance its security, provide the PA with substantial financial aid for reconstruction and development both in the West Bank and Gaza, and grant both Israel and an independent Palestine special privileged status with the EU, which could include such incentives as enhanced free trade agreements.

OVERCOMING POTENTIAL OBSTACLES

In order to prevent either deliberate or unexpected problems that may arise during the negotiations, two important measures need to be taken to prevent the peace process from being derailed:

First, neither the Israelis nor the Palestinians should be allowed to use their internal political factionalism as an excuse for why they cannot make certain concessions, which has been the practice by both sides in the past. Israeli and Palestinian factionalism is not likely to end now or at any time in the future. The main reason behind the need for international involvement is to awaken both publics to the reality that mutual sacrifices must be made to reach an agreement, because allowing the conflict to fester will have disastrous consequences.

Second, both sides must undertake any and all measures to prevent acts of violence that some extremists on either side might commit, against the opposite side or even their own leaders, to torpedo the whole peace process. They must embrace the late Yitzhak Rabin's mantra: "fight terrorism as if there is no peace process; pursue peace as if there is no terrorism." Unfortunately, both sides have historically resorted to violence as the first choice rather than as a last resort. This approach has proven its futility over time as nearly 70 years later, little change has been made in the way they perceive and treat each other. There will always be certain elements on both sides who are determined to destroy any prospect for peace, either because of their deep, uncompromising ideological bent, or because they have and continue to benefit from the continuing conflict.

Fortunately, these groups are marginal and will not succeed in undermining the peace process if both sides at the negotiating table remain committed to negotiate an agreement, because their survival as states with secure futures depends on their ability to bring the conflict to an end. Only a united front from within both camps will blunt the efforts by violent extremists to sabotage the negotiations.

Conclusion:

After nearly seven decades of conflict, peace between Israel and the Palestinians remains elusive. The longer the conflict persists, the more intractable it will become. Those Israelis and Palestinians who wish to have it all are dangerously misguided and will ultimately condemn any prospect for peaceful coexistence.

The new international effort led by the US and the EU to resume the peace negotiations must not lose sight of the popular demand of the majority on both sides to live in peace, because on their own, they will not come to terms with one another. The regional turmoil must not forestall the Israeli-Palestinian peace process; on the contrary, it should serve as the catalyst that could end one of the longest conflicts in modern history.

Past experiences also revealed that although some progress was made through US mediation, the negotiations failed to produce an agreement and nothing indicates that the resumption of the negotiations under US auspices would lead to different results. As such, it has become increasingly clear that only international intervention would provide the practical channel for the peace negotiations and motivate or incentivize both sides to come to terms with the inevitability of coexistence. The EU role is central to the success of these efforts, provided that Obama or his successor stop enabling Israel to pursue its self-destructive path by no longer providing Israel with unconditional political backing as well as economic and military support. Indeed, the two-state solution remains the only viable option that allows for peaceful coexistence, on which any new initiative must be based.

APPENDIX

Appendix 1

HISTORICAL EXPERIENCES AND PERCEPTION

Underlying the Israeli-Palestinian conflict are the scars that each side carries from their respective traumatic pasts. Their perceptions of each other were engendered by their independent historical experiences and religious traditions as well as how they are related to one another.

The Jewish experience throughout the Diaspora was one filled with discrimination, persecution, anti-Semitism, and expulsion culminating in the Holocaust. The genocide perpetrated during the Holocaust was surely something new in history: never before had a powerful state turned its immense resources to the industrialized manufacturing of corpses; never before had the extermination of an entire people been carried out with the swiftness and efficiency of an assembly line.

The Jews have carried the scars of this past with them and still hold to the view that it can happen again unless they remain vigilant and relentless in protecting themselves at any cost. With this past in mind, the establishment of the state of Israel was seen not only as the last refuge providing protection for the Jewish people, but also as the realization and hope of both secular Zionism and biblical prophecy (i.e. the return of the Jews to their ancient homeland). Thus, religious and non-observant Jews believe this trust must be guarded with absolute and unwavering zeal.

Yet, this historical sense of victimization and injustice has served to nurture the allegiance that each Israeli feels towards the state and each other with naturally-engendered, negative emotional sentiments towards the enemy. From the Israeli perspective, the establishment of Israel on the heels of the Holocaust was and continues to be seen as the last chance to create a refuge; they must therefore remain on guard to protect Jews' welfare and well-being wherever they may live and at whatever cost. This sense of victimization resulted from an intentional infliction of harm in the past, universally viewed as utterly unjust and immoral. Yet, it has led to a lack of empathy towards perceived enemies; for example, it manifested itself in Israel as shirking responsibility for the Palestinian refugee problem and violating human rights, all the while promoting self-righteousness.

The Palestinians, for their part, have hardly made any serious effort to comprehend and appreciate the psychological implications of the Jews' historical experience of religious and ethnic persecution. Instead of understanding the Israeli mindset that was formed by the horrific past, the Palestinians have either denied the Holocaust altogether, or minimized its significance. It is not that the Palestinians should

be held responsible for the Jews' historic tragedy, but that they failed at a minimum to appreciate the Israelis' mindset in effectively dealing with the conflict.

For the Palestinians, the experience of the *Nakba* (the "catastrophe"), precipitated by the 1948 war, was no less calamitous. From their perspective, they were living in their own land, albeit for centuries under Ottoman rule and then under the British Mandate. They are absolutely convinced that during the 1948 war they were forced out of their homes by Israelis. Although Israel unquestionably forced out some 30,000-35,000 Palestinians from the city of Lod alone,⁹ many more were encouraged to leave by their Arab brethren and return 'following the defeat of Israel' for the spoils.

Over 700,000 Palestinians found themselves as refugees, an experience that has lasted for decades and continues to endure, leaving an indelible impression on their psyche. The number of refugees continues to grow, and nearly 70 years later, UNRWA estimates that nearly 5 million Palestinians are refugees.¹⁰ This traumatic experience served to bind Palestinians together in the same way that the Jews coalesced following the Holocaust, with each side believing their tragic historical experiences are unparalleled in scope and magnitude. The fact that the Arab states manipulated the Palestinian refugee problem over many decades to their advantage does not change the reality on the ground; it did not alter the Palestinians' mindset, their perception of what the Israelis have done, or their sentiment and disposition about their plight.

Israelis have never fully understood the significance of what the Palestinians have been enduring, how this has impacted their psychological dispositions, and why they have shown no desire to reconcile their differences with Israel. Israelis often argue that since nearly 800,000 Jews left their homes¹¹ (or, as many believe, were forced out) across the Arab Middle East and North Africa and largely settled in Israel, the Palestinian refugees must be considered a de facto swap with the Jewish refugees. This view not only dismisses the historic trauma experienced by the Palestinians, but also disregards their national aspirations to establish a homeland of their own, especially in light of the 1947 UN Resolution 181 (known as the Partition Plan), which called for separate Jewish and Palestinian states. This psychological fixation, reinforced by public narratives and education in schools, has prevented either side from coming to grips with the inevitability of peaceful coexistence.

The occupation and the repeated humiliation of the Palestinians further deepened their resolve to oppose the Israelis at whatever cost, but all was to no avail. The Israelis have proven to be a formidable foe and the Palestinians' resentment, hatred, and animosity have naturally only increased. Without denying the Jews' and Palestinians' sense of victimhood, perpetuating their conflict ironically creates new generations of victims, robbing them of their future only because their elders want to cling to the past.

Appendix 2

RELIGIOUS CONVICTION AND REALITY

The Arab-Israeli conflict is generally viewed as a political and territorial conflict, yet the underlying religious component has created a certain mindset that further complicates the struggle and adds to its intransigence. Both Jews and Muslims alike have mystified the struggle, projecting cosmic significance and introducing national and religious pride into the equation.

The Israelis' own religious narrative is one that is based on the biblical connection of the Jewish people to the land of their forefathers. As Prime Minister Netanyahu reminded the US Congress in his May 24th 2011 address, "This is the land of our forefathers, the Land of Israel, to which Abraham brought the idea of one God, where David set out to confront Goliath, and where Isaiah saw a vision of eternal peace."¹²

Most Israelis believe that no distortion of history can deny the religious component that has created a bond, spanning thousands of years, between the Jewish people and the biblical Jewish land. From that perspective, it is inconceivable for them to surrender their holiest shrines, especially the Wailing Wall (the outer wall of the Second Temple), allowing Jerusalem to be governed by any other peoples or an international governing body. As a result, despite all Israelis happily accepting the 1947 UN Partition Plan, they have always held onto the dream of eventually repossessing all of Jerusalem, particularly the Old City.

From the Palestinian perspective, due to religious convictions tied to Islam's third holiest shrines in Jerusalem – the al-Aqsa Mosque and the Dome of the Rock (*Haram al-Sharif*) – Muslim leaders, like their Jewish counterparts, will not compromise on Jerusalem or on recovering much of the West Bank's land. Many Muslim scholars believe that Muhammad made his Journey from Mecca to Masjid al-Aqsa (literally, "furthest mosque") in Jerusalem before he ascended to heaven. Although the al-Aqsa Mosque was built long after the death of the prophet, Surah 17:1 states that Mohammad visited the site where the al-Aqsa Mosque was subsequently erected. This belief is certainly not limited to the Palestinians but is shared by all Muslims, further complicating any solution to the future of Jerusalem. Like the Israelis, the Palestinians too have shown absolutely no flexibility in this regard.

One other difficulty that adds to the psychological impediment in relation to Jerusalem is the Palestinians' sense of ownership, which has been uninterrupted for centuries. Further consideration of the believers' view of Islam as the final revelation of the three largest monotheistic religions (including Judaism and Christianity) and of Muhammad as the last prophet accentuate Palestinian and Muslim

unwillingness to compromise in what they believe to be their inherent religious duty to obey God's final revelation. Here again, the psychological barrier embedded in religious precepts creates a mindset willing to defy reality. Yet, no one is permitted to challenge God's decree and Muhammad's edict.

In the final analysis, religion has been and will most likely continue to be the repository of our most deeply held wishes and beliefs, as it is for many Israelis and Palestinians alike. For believers on both sides, religion constitutes nothing less than the very substance of their lives, the core of their existence and worldview. The question is: can both parties be brought to reconcile their beliefs to the changed reality on the ground? While neither side can forsake Jerusalem without compromising their religion, they *can* begin to accommodate their aspirations to the prospect of Jerusalem as the capital of two sovereign and independent states.

Appendix 3

THE SELF-IMPOSED IDEOLOGICAL SIEGE

Even a cursory review of the core ideologies of right-of-center Israelis and extremist Palestinians strongly suggests that regardless of the dramatic changes in the political landscape since 1948, they remained ideologically besieged, making the conflict ever more intractable. Since Israelis and Palestinians know that coexistence under any scenario is inescapable, the question is what it would take to modify their ideological bent to achieve a political solution to satisfy their mutual claims to the same land.

The contradiction between Israel and the Palestinians, in connection with "the land of Israel" as defined by right-of-center Israelis, or "Palestine" as classified by Palestinian Islamists, is starkly evident in Likud's and Hamas' political platforms. The Likud platform states, "The Jewish communities in Judea, Samaria and Gaza are the realization of Zionist values... Settlement of the land is a clear expression of the unassailable right of the Jewish people to *the Land of Israel* [emphasis added] and constitutes an important asset in the defense of the vital interests of the State of Israel. The Likud will continue to strengthen and develop these communities and will prevent their uprooting."¹³

Hamas' platform affirms that "Palestine is Arab and Muslim Land; Palestinians are one nation regardless of location; the Palestinian People are still in the process of National Liberation and have the right to use all means including armed struggle to achieve this goal."¹⁴

Insisting on these principles amounts to a political dead-end as neither can force the other by any means to relinquish their claim to the same land, short of a catastrophe. The question is, can they modify

their ideological stances without abandoning their core ideological positions? Ideology is often understood to be “the process whereby social life is converted to a natural reality” or “the indispensable medium in which individuals live out their relations to a social structure.”¹⁵

In either case, there are consistent efforts by Israeli zealots and Palestinian extremists to legitimize their respective ideologies by adopting a different strategy. As Terry Eagleton points out, “A dominant power may legitimate itself by *promoting* beliefs and values [ideology] congenial to it; *naturalizing* and *universalizing* such beliefs so as to render them self-evident and apparently inevitable; *denigrating* ideas which might challenge it; *excluding* rival forms of thought... and *obscuring* social reality in ways convenient to itself.”¹⁶

The question is how to reconcile ideological ethos with certain irreversible realities on the ground—Israeli-Palestinian coexistence—and their mutual claim to the same territory. History and experiences suggest that regardless of how deep an ideological conviction may be, it cannot be sustained if it does not enshrine justice, fairness, and human rights at its very core.

Israelis and Palestinians can certainly introduce a modified version of their ideological bent, as the reality allows for a gradual shift without sacrificing their ideological principles or losing face. The Palestinians can establish a state on a part of their homeland and Hamas will also recognize the inevitable and may well follow the PLO and come to terms with Israel’s existence. The Israelis must accept the fact that Israel will be limited to the 1967 borders with some land swaps. This is not to suggest that all issues will readily be resolved, but the realization that coexistence is not negotiable will trump the ideological ethos of both sides.

The alternative is the continuation of this self-imposed ideological siege, which is bound to fail the test of time at a price that neither side can afford to pay.

Appendix 4

United Nations Security Council Resolution 242 (1967)

November 22, 1967

The Security Council,

Expressing its continuing concern with the grave situation in the Middle East,

Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

1. *Affirms* that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

(i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;

(ii) Termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;

2. *Affirms further* the necessity

(a) For guaranteeing freedom of navigation through international waterways in the area;

(b) For achieving a just settlement of the refugee problem;

(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;

3. *Requests* the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

4. *Requests* the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.

Adopted unanimously at the 1382nd meeting.

Appendix 5

United Nations Security Council Resolution 338 (1973)

October 22, 1973

The Security Council,

1. *Calls upon* all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy;
2. *Calls upon* the parties concerned to start immediately after the ceasefire the implementation of Security Council resolution 242 (1967) in all of its parts;
3. *Decides* that, immediately and concurrently with the ceasefire, negotiations shall start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

Adopted at the 1747th meeting by 14 votes to none. 1 1 One member (China) did not participate in the voting.

Appendix 6

The Arab Peace Initiative

March 28, 2002

The Council of Arab States at the Summit Level at its 14th Ordinary Session, reaffirming the resolution taken in June 1996 at the Cairo Extra-Ordinary Arab Summit that a just and comprehensive peace in the Middle East is the strategic option of the Arab countries, to be achieved in accordance with international legality, and which would require a comparable commitment on the part of the Israeli government.

Having listened to the statement made by his royal highness Prince Abdullah bin Abdul Aziz, crown prince of the Kingdom of Saudi Arabia, in which his highness presented his initiative calling for full Israeli withdrawal from all the Arab territories occupied since June 1967, in implementation of Security Council Resolutions 242 and 338, reaffirmed by the Madrid Conference of 1991 and the land-for-peace principle, and Israel's acceptance of an independent Palestinian state with East Jerusalem as its capital, in return for the establishment of normal relations in the context of a comprehensive peace with Israel.

Emanating from the conviction of the Arab countries that a military solution to the conflict will not achieve peace or provide security for the parties, the council:

1. Requests Israel to reconsider its policies and declare that a just peace is its strategic option as well.

2. Further calls upon Israel to affirm:

I- Full Israeli withdrawal from all the territories occupied since 1967, including the Syrian Golan Heights, to the June 4, 1967 lines as well as the remaining occupied Lebanese territories in the south of Lebanon.

II- Achievement of a just solution to the Palestinian refugee problem to be agreed upon in accordance with UN General Assembly Resolution 194.

III- The acceptance of the establishment of a sovereign independent Palestinian state on the Palestinian territories occupied since June 4, 1967 in the West Bank and Gaza Strip, with East Jerusalem as its capital.

3. Consequently, the Arab countries affirm the following:

I- Consider the Arab-Israeli conflict ended, and enter into a peace agreement with Israel, and provide security for all the states of the region.

II- Establish normal relations with Israel in the context of this comprehensive peace.

4. Assures the rejection of all forms of Palestinian partition which conflict with the special circumstances of the Arab host countries.

5. Calls upon the government of Israel and all Israelis to accept this initiative in order to safeguard the prospects for peace and stop the further shedding of blood, enabling the Arab countries and Israel to live in peace and good neighborliness and provide future generations with security, stability and prosperity.

6. Invites the international community and all countries and organizations to support this initiative.

7. Requests the chairman of the summit to form a special committee composed of some of its concerned member states and the secretary general of the League of Arab States to pursue the necessary contacts to gain support for this initiative at all levels, particularly from the United Nations, the Security Council, the United States of America, the Russian Federation, the Muslim states and the European Union.

ENDNOTES

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