

Checking an Unrestricted Zion

A Detailed Analysis of President Trump's Anti-Deadline Approach to the Israeli-Palestinian Conflict and its Underpinnings

John Simila

Delaware Valley University

Given the precarious state of Peace talks, there is no more important time to study the United State's relationship with the Middle East than the present. Following the failed Camp David Accords, then amplified by the Arab Spring and the War on Terror, public intrigue has reached new heights. Media coverage in the Middle East has been diluted in light of the executive branch's focus on North Korea. The Israeli-Palestinian conflict is also a conundrum in foreign diplomacy, and thanks to leading political scientists in the field we are gathering new studies on America's relationship to this quagmire with an intense focus on our ally, Israel. Our allegiance to Israel is unique, as the United States finds itself in constant support. This situation is urgent because if the global community continues to delay their involvement on this issue, it will forever be an unsolvable conflict.

The United States and Israel have long maintained a relationship based on mutual respect and admiration is one of national security and economic concern. It is critical that the United States can maintain sound diplomacy in the region and abandon previous trends of shuttle negotiations. There are a multitude of interests between Israel, Palestine, and the United State's foreign involvement. In order to address the relationship between the United States and Israel and recommend solutions, it is critical to understand what has led the United States to this moment in time as it relates to the region. Beginning with Harry Truman and continuing through President Obama, the United States has maintained their unique relationship with Israel through different approaches and philosophies. For President Trump's legacy and the region's future, it is important to highlight the history of regional strife and how this will affect the peace process involving Israel and Palestine.

Historical Developments

The conflict between Palestinian Arabs and Israeli Jews dates to the end of the 19th century. It is a conflict that has its foundation in the struggle for land, not necessarily the differing religious beliefs¹. The waning of the 19th century beheld a trend amongst people who wished to identify themselves as nations. In his monograph *Imagined Communities*, acclaimed historian of nationalism Benedict Anderson states:

“...regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship. Ultimately it is this fraternity that makes it possible, over the past two centuries, for so many millions of people, not so much to kill, as willingly to die for such limited imaginings”².

Since the Jewish community was spread across the world in diaspora, this trend began their national movement for a homeland. The Diaspora (Hebrew for dispersion or scattering) refers to a number of exiles the Jews faced from their land of Israel, most notably from the Romans in 70 AD under the Emperor Hadrian. The scattering began long before Egypt, with the Assyrians and the Babylonians all playing a role in scattering the Jews across the Middle East and into Europe.³

With rising anti-Semitism occurring throughout Europe, the call came in the late 19th century and thus began Political Zionism. The term itself means the return of the Jews to a national homeland, most particularly Palestine. The rise of the Zionist Movement following the escalation of anti-Semitism at the end of the nineteenth century implies, therefore, that anti-Semitic events could have been a trigger to the emergence of Zionism but not a cause. Any analysis that makes a cause and effect argument regarding Zionism should look for a factor that operates continually on a given effect for a considerable period of time. In the case of Zionism,

¹ Simanovsky, Natalia. "The Fayyad Plan." *Palestine-Israel Journal* 17, no. 12 (November 2011): 1-6.

² Anderson, Benedict R. OG. *Imagined communities*. London: Verso, 2016. 6-7.

³ Moshe Mayor. "Israel Studies An Anthology: The History of Zionism." *Israel Studies An Anthology: The History of Zionism*. The Jewish Virtual Library, May 2009. Web. 28 Mar. 2015

this factor was the breakdown of traditional Jewish life and the attempts by Jews to reconstruct their life within European nation states⁴.

As Palestine was their biblical home, members of the prominent Jewish community pressured Britain for help from the communities of violence and hatred. Historians see the primary impact of Zionist thought as being established with the Balfour Declaration, in which Britain expressed its support of a Jewish national home in 1917. Lord Arthur Balfour, the British foreign minister, issued this declaration although Palestine at the time was populated by Arab communities. This instituted a British mandate in Palestine which was simultaneously also supposed to institute an independent Arab state. It is important to note that Great Britain was at war with the Ottomans during World War I, already scheming to incorporate the Palestinian territory into Allied hands. With Britain's approval, European Jews began emigrating exponentially following the rise of Adolf Hitler. Following global recognition of the atrocities of the Shoah (Holocaust), there was immense pressure on the United States to play a role in this migration as the British looked to distance itself with empty promises left to the Arab community.

A United Nations partition plan followed that separates Israel, Gaza Strip, and the West Bank. An immediate war broke out which consequently led to over 700,000 Palestinians becoming refugees. The war was fought over the rights to Palestine and consisted of Israel defending their right to exist against an Arab coalition of Egypt, Jordan, and Syria. To this present day, the Nakba and Palestinians right to return to their homeland has been one of the biggest hurdles to peace. There are discrepancies, with Israelis claiming that the Palestinians left on their own via calls from their president but the Palestinians refute this. Perhaps the other largest root of conflict lies with the June 1967 War, or the Six-Day War. The fighting continued

⁴ W. Laqueur . *A History of Zionism*. New York: MJF Books.(1972)

following a ceasefire in 1949 and in the spring of 1967 the Soviets misinformed the Syrian government that Israeli forces were massing in the North to attack Syria⁵. This caused Egyptian forces to mobilize and in turn caused a preemptive strike from Israeli forces. Jordan and Egypt retaliated and were dealt a swift blow of defeat with Israel ultimately controlling the West Bank and Gaza Strip.

After the war, the UN Security council adopted Resolution 242, which stated that the “inadmissibility of the acquisition of territory by force” and called for Israeli withdrawal from lands that were seized during the Six-Day War⁶. Palestinians have rejected this resolution, citing it does not clarify for their right of return, rather a “just settlement”. Since the West Bank came under Israeli occupation following the war, a multitude of Israelis have begun settling in the region. Of the vast majority of conflict, the settlements are currently one of the main issues that impede peace talks. The act of settlements can blur the boundaries of Palestine and restrict their land access and rights to life. Throughout the settlements Palestinians are restricted on their road usage and forced through myriad security checkpoints, which many International legal minds believe violate the Fourth Geneva Convention.⁷ This resolution also called for Jerusalem to be an “international zone”. Israel maintains Jerusalem as its “internal capital”, something President Donald Trump announced in December of 2017. The announcement can be seen as combative of the peace negotiations, an issue America has a longstanding history with.

The American role in this conflict and peace process has been prominent since the 1980’s due to our emergence as a sole superpower. The relationship with Israel has been maintained through a balance of personal investment and resistance to strain with the Arab world. The

⁵ Ross, Dennis. *Doomed to succeed: the U.S.-Israel relationship from Truman to Obama*. New York: Farrar, Straus and Giroux, 2016.

⁶ Ibid

⁷ Ibid

beginning of skepticism of Arab backlash following our support for Israel was laid in the Truman administration. President Truman was essentially forced into an arena that Roosevelt left behind; these included contradictory promises to both the Arab and Jewish community, the need for Holocaust correction, and the emergence of a state without major support⁸. Truman saw supporting Israel as a moral right, although his chief diplomats were wary of ostracizing the Arab community in what might lead to an oil embargo. This warning was concerning for more than just oil as the U.S. had multiple military bases in the Middle East and fear of the Soviets making a power grab. What mattered to Truman was getting the survivors to Palestine, not necessarily the politics of statehood which his advisors were wary of.

The Memorandum of Understanding

Thus, the initiation of our support for Israel derived from a humanitarian standpoint history of the presidencies, this is a common theme while dealing with Israel, up until the age of Ronald Reagan. It is with Reagan, however, that the first signing of a Memorandum of Understanding took effect. Under this Memorandum of Understanding, Israel, unlike other foreign aid recipients of the United States, receives a lump sum at the start of the fiscal year and is the only recipient that does not have to account for how this aid is spent. This exemption makes it virtually impossible to prevent the money from being used for purposes the United States opposes.

In light of President Trump's "America First" agenda, he has slashed foreign aid to almost every country except Israel, as the state department called it the only country to escape the President's deep cuts⁹. The President has also made a number of statements regarding

⁸ Ross 28

⁹ Wilkinson, Tracy. "Israel only country to escape proposed cuts to U.S. foreign aid.", March 16, 2017. <http://www.latimes.com/politics/washington/la-na-essential-washington-updates-israel-only-country-to-escape-state-1489695965-htmlstory.html>

President Obama and his turning on Israel when that has not been the case. The primary basis of this brief will be the “The New 10-Year Security Assistance Memorandum of Understanding” which was initiated by the previous administration and lays out the future of American-Israeli policy.

SUBTITLE

The primary mode of assistance the U.S. has provided to Israel has been military assistance. The reasons for providing over three billion dollars a year¹⁰ Although all three MOU’s provide a template for the gradual phase out of US military aid to Israel, neither have advanced this option.

With the lingering expiration of Bush’s MOU as well as President Obama’s recently negotiated nuclear deal with Iran, the president assured Israel they would not be affected monetarily. President Obama went as far as to write a lengthy letter to Congressman Nadler ensuring that aid to Israel will only increase to support new technologies of tunnel detection and missile defense funding.¹¹ This was not mere hearsay, as President Obama would go on to sign the largest pledge of aid to any country ever given by the United States of America. National Security Advisor Susan Rice echoed this by stating:

This is the single largest pledge of military assistance—to any country—in American history. At a time when we’re tightening our belts across the board, with the harmful “sequestration” spending cuts set to return in several years, this MOU nonetheless greatly increases our military assistance commitment to Israel. That’s not an accident. It’s a reminder of the United States’ unshakeable commitment to Israel’s security.¹²

¹⁰ Sharp, Jeremy. "U.S. Foreign Aid To Israel." *Congressional Research Service*, December 22, 2016, 1-30. www.crs.gov

¹¹ "Obama's Letter to Congressman Nadler." Barack Obama to Congressman Nadler. August 19, 2015. The White House, Washington DC. <https://www.nytimes.com/interactive/2015/08/20/world/middleeast/document-obama's-letter-to-congressman-nadler.html>

¹² Rice, Susan. "The U.S. Is Making a Historic Investment to Protect the Security of Israel." Speech, Washington DC, September 14, 2016. <https://obama.whitehouse.archives.gov/blog/2016/09/14/us-making-historic-investment-protect-security-israel>

With this overview, it appears to have been more of the same from every administration since President Clinton signed the initial MOU. As with previous deals with Israel, congress has mandated that Israel will receive their aid as a lump sum in the first quarter of the year 2017. The terms do stray from previous agreements, which has created a small uproar amongst the partisan. The key difference with the new MOU would be the allocated funding for missile defense. Historically, this has been done separately via congress but now the administration in Israel pledges to request \$500 million in annual combined funding for their joint missile defense programs.¹³ Another introduced aspect will be the eventual phase out of all Offshore Procurements after 2024. President Netanyahu has defended the agreement wholeheartedly, whereas others see the phasing out of OSP as a boon to US defense contractors.¹⁴

Although technicalities driven by policy maintain the larger significance, there is a growing personal connection between the countries as well. More philosophical segments of this issue include Israel's expansion of settlements that many at home and abroad have seen as anti-democratic. The current administration has backtracked on the issue, initially saying they would not impede peace talks between a US led Palestinian-Israeli agreement while later hinting that the peace talks will progress little while Israel continues their expansive communities. Since the West Bank came under Israeli occupation following the war in 1967, a multitude of Israelis have begun settling in the region. A mixture of reasons for the movement are cited, from religious to claiming territory as Israeli land. For the vast majority, the settlements are currently one of the main issues that impede peace talks. So far, clarity on the issue has been vacant.

Indeed, the Trump administration has put any gradual involvement in Israel or the peace process on hold. The peace effort will be led by Jared Kushner and both have been very adamant

¹³ Sharp, 6

¹⁴ Ibid

that they are not working against the clock as deadlines are not a factor.¹⁵ This breaks from previous administrations who have put forth a deadline and worked towards an individual goal. This current administration is approaching the peace talks from an architectural point of view, amassing what they would believe is an incredibly detailed plan that is flexible and elastic. Trump will approach this plan with an intense focus on specificity, bypassing the grandeur of previous plans and instead focusing on individual pieces of legislation and disagreements that will formulate after months of listening to the parties¹⁶. The key aspect of the Trump doctrine it seems is the abandonment of the fixed deadline in favor of permeability, something this administration sees as a new path forward.

President Trump and the current administration in the United States offer a combination of fresh ideas and continuity in their approach to Israel. From a funding and military assistance perspective, they are leading by past doctrine. The MOU was negotiated by the Obama administration but it is very unlikely it will be changed by the end of its ten year understanding. The approach to the peace initiative for this administration takes what they believe is a fresh dynamic, weary of deadlines. This can be counter-intuitive given the largest roadblock in the conflict right now is the advancement of Israeli settlements which expand with each day. For Trump, determining the sovereignty of a key ally's future is not in the deck. Although the rumblings of a plan are initiated, any detail or specificities put forth by this administration have been vacant from the public, which leads to questioning the validity of such projects.

There are three options that can be taken given my approach to the conflict and the international community's willingness to assist. One approach supporters advocate will be a

¹⁵Wilner, Michael. "Eyeing detailing peace plan, Trump team could invest years in effort." *The Jerusalem Post*, November 18, 2017. <http://www.jpost.com/American-Politics/Eyeing-detailed-plan-Trump-team-expects-peace-talks-to-last-up-to-two-years-514554>.

¹⁶ Ibid

combination of borders first philosophy and Palestinian state building¹⁷. The second option would be a strict permanent status approach, similar to the Camp David summit in 2000 and transformed into the Annapolis Summit. The third approach would be a strict permanent status minor approach, straying from the previous mentioned summits and negotiating all the terms that are not necessarily the most controversial. The Trump administration should advocate a reduction in foreign aid to Israel, without aligning with the Boycott, Divestment, and Sanctions movement as I do believe we maintain a special relationship with Israel and it should be constant. The BDS movement approaches Israel as an apartheid state, advocating for boycotts similar to those of South Africa in the 20th century.

Palestinian State Building

To begin, it is important to note that with the Palestinian state building option I am advocating for an apparent two state solution. This would be in line with the United Nations partition plan in 1947 that recognized Israel as well as a future Arab state within the boundaries of Palestine¹⁸. The greatest advantage of this option is that it allows a real solution to the Palestinian state question for the first time since the original partition plan. The difficulty lays with consensus of the attributes of statehood since it would need Israel's consent for a viable Palestinian state to emerge. This would force Israel to the negotiation table and follow a similar plan to what was laid forth by Salam Fayyad, former Palestinian Authority prime minister who envisioned an emerging Palestinian state.

Fayyad's plan was entitled 'Ending the Occupation, Establishing the State', and the essence of the plan involved establishing an internationally recognized demilitarized Palestinian

¹⁷ U.S. Congress. Foreign Affairs, Defense, and Trade Division. *Israeli-Palestinian Peace Process: The Annapolis Conference*. By Carol Migdalovitz. Cong. Rept. RS22768. DC, 2007. 1-6.

¹⁸ Ibid 4.

state encompassing both the West Bank and Gaza¹⁹. This would be a return to the 1967 borders and Palestine would possess the capital of East Jerusalem. With the recent announcement of American recognition of Jerusalem as Israel's capital, President Trump did declare that borders would be negotiated later²⁰. Thus the Fayyad plan leaves the possibility of establishing East Jerusalem as the capital of the Palestinian state and maintain West Jerusalem, with appropriate support, as the capital of Israel. This being said, the Fayyad plan also faces huge obstacles as his plan can be seen as in direct conflict with Fatah officials and even President Abbas. With Fayyad out of the picture, it is of course necessary that a similar figure rises to prominence in Palestine for the success of this plan to happen.

To focus on the Fayyad plan and similar initiatives would alleviate many of America's dilemmas in the region. It would guarantee a two-state solution which ensures that Israel remains Jewish and democratic. Settlements are another major hindrance to peace and this plan allows clear boundaries as to what constitute Palestine and what constitutes Israel. This plan would also dramatically reduce Israel's responsibility regarding the Palestinian issue and the rights of return. A Palestinian state would become responsible for its own citizens and maintain its own national concerns instead of the fluid borders which result in abuses of electricity, energy, and water rights. Since it occupied the West Bank in 1967, Israel has laid hands on Palestinian water resources through water-sharing agreements that prevented Palestinians from maintaining or developing their water infrastructure through its planning and permit regime²¹.

¹⁹ Simanovsky, Natalia. "The Fayyad Plan." *Palestine-Israel Journal* 17, no. 12 (November 2011): 1-6.

²⁰ "Trump to Announce He's Moving Embassy to Jerusalem." *Daily Herald (Arlington Heights, IL)*, December 6, 2017. Accessed December 16, 2017. http://www.highbeam.com/doc/1G1-517601112.html?refid=easy_hf.

²¹ "Water Wars." *Arab News (Jeddah, Saudi Arabia)*, September 9, 2013. Accessed December 16, 2017. http://www.highbeam.com/doc/1G1-342341752.html?refid=easy_hf.

To begin from a state building perspective would also mean on emphasis on the borders first option.

To follow up with the state building approach it is also of crucial importance that this administration first negotiate the boundaries of the future Palestinian state. Successfully doing so would be a tremendous historical breakthrough with this issue perhaps being the single largest and most important in the permanent status initiative. It would also address the settlement activity problem, with the ability to freeze them and provide clarity on where the nation of Israel should stop the settlements in accordance to their national boundaries. Through the approach of state building and establishing borders, there is a greater chance of peace than what has been tried and attempted in the past. An alternative option would be permanent status, which brings familiarity regarding our philosophy in the issue. With a permanent status initiation, it rings regrettably of the failed Camp David summits.

The Permanent Status Models

To renew the peace talks, this administration could adapt an option known as permanent status. This has been a favorite of past administrations from Bill Clinton to John Kerry and President Obama. This is the most popular of the three approaches as public opinion polls demonstrate that a solid majority among both Israelis and Palestinians support a peace agreement based on a two-state solution with all concessions required and gains made presented in a comprehensive “package”²². This allows the administration to build on progress already presented by previous Presidents and state departments to reach a sort of deadline diplomacy to end the settlements and end the conflict. A common under layer of this approach is the return of

²² Feldman, Shai, and Khalil Shikaki. "The Obama Presidency and the Palestinian-Israeli Conflict." *Crown Center for Middle East Studies*, no. 39 (November 2009): 1-7.

Israel to its 1967 boundaries and the incentives promoted in the 2002 Arab Peace initiative as well as the 2000 Camp David Summit.

The 2000 Camp David Summit was quite possibly the closest any administration has ever gotten to coming to an Israeli-Palestinian official peace agreement. The intention of the gathering was, ostensibly, to negotiate a final settlement of the Israeli-Palestinian conflict in accordance with the 1993 Oslo agreement. The parties were unable to come to an agreement, however, and a wave of Palestinian violence soon engulfed Israel²³. Nevertheless, more talks were initiated and the new plan put forth by President Clinton saw Palestine gaining 97% of the West Bank although the deal was never fully written down. This was in part due to Arafat, then president of the Palestinian National Authority, viewing this as the end of the conflict. Diplomat Dennis Ross showed how all Arafat knew in his life has been this conflict and thus to end this conflict would end his political life and perhaps his own.²⁴ Thus, violence maintained the status quo and more peace talks were replaced by stricter security measures.

The Arab Peace initiative is another example of the permanent status model. This was a ten sentence proposal to end the Israeli-Arab conflict proposed by the Arab League and was recently re-endorsed for a third time in 2017. Sometimes called the “Saudi-initiative”, the initiative was at first rejected by Israel but then was recognized as an accomplishment for a transition to peace by then President Shimon Peres and current Prime Minister Benjamin Netanyahu²⁵. The initiative states:

...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

²³ "2000 Camp David Summit: Background & Overview." Background & Overview of 2000 Camp David Summit. Accessed December 16, 2017.

<http://www.jewishvirtuallibrary.org/background-and-overview-of-2000-camp-david-summit>.

²⁴ Ross, Dennis. *Doomed to succeed: the U.S.-Israel relationship from Truman to Obama*. New York: Farrar, Straus and Giroux, 2016.

²⁵ Camp David Summit

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 Israel²⁶.

The initiative also calls for the acceptance of an independent Palestinian state with East Jerusalem as its capital and goes as far as to consider the Arab-Israeli conflict ended. This is an example of permanent status due to its over sweeping nature and rapid claims that peace will be brought with just 10 sentences. This type of initiation would have to rely on a heavy presence from Washington and massive assistance to both nations.

A third initiative is called permanent status minor and is essentially the permanent status model without key decisions based on the more sensitive aspects of the conflict. For outside involvement, this may look the most attractive as it attempts to fix what is wrong with the region without touching the symbolic or ideological aspects of Jerusalem or the rights to return by the Palestinians. This option has all the same advantages of the permanent status option but drawbacks are plenty as well. The attractiveness of leaving the sensitive issues to the parties at hand is certainly an attractive option. This allows the United States to negotiate peace without intruding on years of historical and philosophical debate. However, leaving the parties at hand to negotiate the major issues harboring peace by themselves might lead to more gridlock as history has shown. Unlike the permanent status option, this prevents the parties from closing all files on the conflict.

Moving Forward

President Trump is less than one year into his administration and the issue of Israel and Palestine is just beginning to make wavelenghts. He seems set on abandoning this form of

²⁶ Ben-Meir, Alon. "The Arab Peace Initiative: Now or Never." *Digest of Middle East Studies* 19, no. 2 (2010): 228-33. doi:10.1111/j.1949-3606.2010.00031.x.

deadline diplomacy and advocate a shuttle diplomatic solution, run by his state department and more specifically Jared Kushner. He has announced Jerusalem as the capital of Israel without clearly defining the borders and plans on moving the embassy there. He has stated that settlements will not be an issue to the peace process yet backtracked days later under the watch of James Mattis. Around this same time, he had stated that he had no plan to move the embassy to Jerusalem until peace negotiations were underway²⁷. Thus, clarity has been a problem with this administration. Initiating the process of peace starts with a borders first model and clarity regarding the future.

To begin, the United States must exercise their leadership in the region. This means doing so as a nuclear North Korea becomes prominent and the President seems more distracted by trade wars than historical ones. There is a greater chance of success in the peace initiative when the United States has a president who is committed to the initiative and puts themselves outside of shuttle diplomacy. Dennis Ross provides examples of the un-successes of Richard Nixon and Henry Kissinger due to their reluctant deep involvement²⁸. The same is said of James Baker, former Secretary of State to President George H.W. Bush. The first few months of the Trump administration has been reluctant of deep involvement in the region, with stronger focuses on trade wars and North Kora denuclearization.

To move peace in the right direction the United States must also abandon a Camp David, or permanent status, principle. This means losing the focus that everything must be agreed upon or nothing is agreed upon. The most important step to initiating peace would be establishing borders and an independent state of Palestine. Since the conflict is primarily one that has

²⁷ "Trump to Announce He's Moving Embassy to Jerusalem." *Daily Herald (Arlington Heights, IL)*, December 6, 2017. Accessed December 16, 2017. http://www.highbeam.com/doc/1G1-517601112.html?refid=easy_hf.

²⁸ Ross 121

resulted from land contention, the importance is vital for this to be primary²⁹. By focusing fast-track on borders and security it would establish that peace is a real possibility. The importance of a fast track option and not the “no deadline” philosophy of Trump is that settlements are continuing and it is of vast importance we address this activity while addressing borders and statehood. This will include being in line with the Fayyad proposal and the Arab Peace Initiative, something that will take expert diplomacy on the American-Israeli side³⁰.

President Trump is slowly approaching the conflict with his new lens. He has apparently shattered that past permanent status model by declaring Jerusalem the capital of Israel since all is not agreed upon. He has shattered the permanent status minor model by touching the sensitive and symbolic issues relating to Palestine and Israel. Thus, where he has tiptoed in the borders first model, is that he cited the exact borders of the capital will be determined at a later date. If President Trump and his administration would begin to focus more closely, with clarity, on border security and statehood, than they will have an opportunity to achieve peace in a region that has been riddled in quagmires since foundation. To do so would mean a crystal clear sense of what the initiatives and philosophies are. This issue will be the toughest regarding the Trump administration.

²⁹ W. Laqueur . *A History of Zionism*. New York: MJF Books.(1972)

³⁰ Ben-Meir, Alon. "The Arab Peace Initiative: Now or Never." *Digest of Middle East Studies* 19, no. 2 (2010): 228-33.

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