

PEACE ACCORDING TO REAL ESTATE DEALERS

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If it is Benjamin Netanyahu who will again form the next Israeli government, the “peace plan” prepared by Jared Kushner may be the shovel with which Bibi buries the Palestinian cause. What stands in the way of such an outcome is not so much the European Union (EU) but rather Israeli civil society.

Most details of the hyped peace plan for the Israelis and Palestinians, prepared over the course of almost three years by the Trump administration, are unknown: what is in it, when it will be announced, and who, if anyone, will sit down to negotiate. By 1 November the main American negotiator Jason Greenblatt, responsible for preparing the plan, will step down. If the plan was expected to be announced soon and a success, Greenblatt would not be going, allowing the glory to fall on others. The Israelis just held second elections to the Knesset this year, and it remains to be seen if Benny Gantz, Netanyahu’s main opponent, manages to form a government or Israelis go to the polls for the third time before the end of the year. But even if the plan is not announced soon, it deserves a closer look because of what it says about the Israeli-Palestinian conflict, the role of the EU and other Arab states in it and the political class of the Middle East.

For the past quarter of a century the only constructive agreement the Israelis signed with the Palestinians were the Oslo Accords of 1993, after which the Palestinian Autonomy was created. It is politically telling to compare the negotiations back then with how the current peace plan, dubbed the Kushner plan or the deal of the century, as Donald Trump would want it, came about. Similarly informative about the current Israeli government’s attitude to the Israeli-Palestinian conflict can be the role that Netanyahu played in the events that followed after Oslo.

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On a warm November evening in 1995 in Tel Aviv more than 100,000 Israelis came to show their support for peace with the Palestinians. They came there for Yitzhak Rabin, the then Israeli prime minister, who had negotiated the Oslo Accords. They were all the more eager to show their support for Rabin, because for many months before had been threatened with death by Israeli extremists, while the opposition remained silent. He was portrayed in an SS uniform, photos of him in an Arafat-style kufiyah were burned, he was called Judenrat, and extremist rabbis issued *din rodef*, a death sentence, against him. Young nationalists fought the police, furious that thanks to Oslo the Palestinians would get the seeds of their future state. It could not have come as a surprise that on that warm evening, an Orthodox nationalist shot Rabin three times in the back. The largest peaceful rally in Israel's history turned into a funeral procession.

Israel's prime minister Benyamin Netanyahu was the opposition leader at the time. Shortly before the assassination, he led a demonstration in Jerusalem against the Oslo Accords, walking alongside two props: a gallows and a casket for Rabin. In his biography of Netanyahu, Ben Caspit recalls how closely Netanyahu observed the emerging violence and "did nothing to prevent it. (...) He watched hundreds of children screaming 'death to Rabin', and said nothing" (Caspit, 2017, p.123).

A quarter of a century since those events, only two of the then protagonists remain on the battlefield: Netanyahu and the Oslo Accords, meaning the Palestinian Authority in the occupied West Bank and Gaza. Netanyahu, the longest serving prime minister in Israeli history, is close to eliminating the last standing opponent and the new American plan may help him do so.

Developers Instead of Historians

In the Trump administration the president's family and friends with the strongest connections to Israel were made responsible for preparing the peace plan. The son-in-law and developer Jared Kushner became the president's main adviser on the Middle East. Netanyahu is a personal friend of the Kushners to the point that when visiting the United States (US) he would stay overnight at their New York home (Kantor, 2017). Trump appointed his bankruptcy lawyer David Friedman as US Ambassador to Israel, who headed the American Friends of Beit El Institutions, an organisation that supports and funds Beit El, an Israeli settlement on the occupied Palestinian territories, raising \$2 million a year (Zeveloff, 2017). This and other settlements are illegal according to international law, the US and the EU. Friedman is the son of a rabbi, speaks fluent Hebrew and, long before his posting, spent religious holidays twice a year in Jerusalem, where he has a home. Friedman considers the defence of Israel's interests as one of the main goals of American foreign policy, opposed the creation of the Palestinian state, and urged the transfer of the US embassy to Jerusalem ("The Architects behind the US Plan", 2017; "US ambassador David Friedman Arrives in Israel", 2019; "U.S. Ambassador to Israel Refuses

to Endorse Palestinian State”, 2019). Finally, Jason Greenblatt – the real estate lawyer and Trump’s right hand at the Trump Organization – became the US Presidential Envoy for International Negotiations. He lectured at the Jewish Yeshiva University in New York: his course was “The Anatomy of a Real Estate Deal” (Gramer, Fancis & Groll, 2016). In the 1980s he attended a yeshiva at the Gush Etzion settlement in the West Bank (Maltz, 2016). Greenblatt will now be replaced by Avi Berkovitz, a 30-year-old personal aide to Jared Kushner, with a very similar profile to others, only much less experience (De Bourmont, 2019).

None of these negotiators had any experience in international politics and all are Orthodox Jews. Religion does not have to determine one’s views but all three have extreme opinions even for Israel – they fall somewhere between Netanyahu’s Likud and the openly anti-Palestinian nationalist settler parties. In these circumstances it takes a lot of imagination to expect the plan prepared by such a team to have any hallmarks of neutrality.

The architects of the Oslo Accords a quarter of a century ago – historians Ron Pundak and Yair Hirshfeld – were also Jews and Zionists. Without American mediation or Rabin’s knowledge they had met with the Palestinians numerous times to test the ground for an agreement. But they did not aspire to the role of mediators – after all, they represented a party to the conflict. What inspired them was a conviction about the need for peace with their neighbour. In Ron Pundak’s obituary in 2014, Gideon Levy assesses that “he wasn’t an Arab-lover; he was clearheaded, one of the last few who still met with Arabs and saw them as equal human beings. (...) No one will speak of peace in Israel anymore” (Levy 2014).

Money Instead of a State

Kushner speaks of peace only as far as the vague title of the economic part of his plan is concerned: “Peace to Prosperity”. It was presented in Bahrain in June and stipulates \$50 billion worth of investments in roads, railways, schools and hospitals over the next 10 years. States and private companies are to invest \$27 billion in Gaza and the West Bank, and \$23 billion in Egypt, Jordan and Lebanon (The White House, 2019). It is not known who exactly would spend this money as neither the Americans nor Arab states or companies declared their interest. Unsurprisingly, since an economic plan makes no sense without a political one.

A flagship example of the absurdity in the economic plan is the construction of roads and railways in mainland Israel to connect the Gaza Strip with the West Bank. Both Palestinian territories are ruled by two different entities that are in conflict. Israel and Egypt maintain a strict blockade of Gaza – almost nothing and no one gets through. The 80-kilometre trip would normally take an hour. But according to Miriam Marmor, the spokesperson of Gisha – Legal Center for Freedom of Movement, an Israeli non-governmental organisation (NGO), it takes Palestinians one whole day up to 12 years if they are allowed to apply for a

permit at all as the criteria for applying are extremely narrow (“Status of Authorizations”, 2019). Therefore, there is not a single business reason to build roads from Gaza to anywhere because the Palestinians cannot drive on them.

The absurdities of the economic plan stem from a larger mistake of looking at the Israeli-Palestinian conflict as a commercial dispute, which is how Trump’s aides see it: “If you take out the emotional part of it and the historical part of it, it is a business transaction,” said Jason Greenblatt in 2016 (Goldberg, 2017). The trouble is that emotional and historical elements cannot be removed from this conflict.

However big the pay check would be it will not settle 70 years of a conflict that started four big and a dozen smaller wars, formed Palestinian national aspirations, displaced over 700,000 people, claimed tens of thousands of victims, and survived a dozen or so Israeli and Palestinian prime ministers. In Oslo it was agreed that seven permanent status issues must be solved for the Palestinians to have a state: (1) Jerusalem, (2) refugees, (3) settlements, (4) security arrangements, (5) borders, (6) relations and cooperation with other neighbours, and (7) other issues of common interest (United Nations, 1993). But the single goal was clear: a Palestinian state.

Kushner’s plan envisages anything but a state. He publicly appealed not to use the term two states: “Let’s just not say it” (Cortelessa, 2019). Based on several interviews with Israelis close to the American team, what is expected in Kushner’s plan is a pseudo-state with no control over the borders or most of the territory, consisting of several small enclaves. It may even stipulate a Palestinian “capital” in Jerusalem but it would most likely mean the suburbs of East Jerusalem, which hardly anyone is interested in. Most likely there would be no right of return.

The American administration keeps postponing the release of the political part of the plan because of the internal politics of Israel. September elections were inconclusive when it comes to who will form the next Israeli government. If Benny Gantz does not create a coalition and Israelis go to the polls again, it may well be Netanyahu who eventually keeps the steering wheel. In that case, the plan will play into Netanyahu’s hands. “There can be no doubt that the so-called ‘Trump Plan’ has morphed into a Netanyahu-enabling political platform. The combination of moving the US embassy to Jerusalem, recognising Israel’s annexation of the Golan Heights, and the consistent one-sided declarations from Trump’s emissaries regarding Israel’s ‘rights’ and the PA’s ‘misbehaviour’ leave no room for any other conclusion. Trump is backing Netanyahu’s once hidden and now open agenda - annihilation of the Oslo Accords and the Two-States paradigm, and gradual annexation of the West Bank.” This is the assessment of Eran Etzion, former deputy-head of the National Security Council of Israel, today a politician of the democratic bloc (P.Sasnal, personal communication, August 13, 2019).

Saudis Instead of Palestinians

The question that poses itself is why propose the plan at all if Palestinians will obviously not negotiate it. After Trump's hostile decisions, such as moving the embassy to Jerusalem or cutting funds for UNRWA— agreeing to any talks would mean political death for any Palestinian leader. Perhaps Kushner's idea does not involve negotiations with the Palestinians at all and that precisely is its goal: marginalisation (Levy, 2019). They are to be replaced by the Saudis and other Arabs: Egyptians, Jordanians, Moroccans, Bahrainis and Emiratis. The leaders of these countries all like Trump's policies: they care about multi-billion dollar US assistance, support the confrontational policy towards Iran, and enjoy the US indifference to their authoritarianism. The Palestinians are only useful to other Arab governments to the extent that their cause affects social moods. Arab states, in turn, could be useful to the US because they can pressure Mahmud Abbas and his environment, financially and politically, to accept the American offer and establish diplomatic relations with Israel. In this regard, Kushner particularly relied on his friend Muhammad bin Salman, the crown prince of Saudi Arabia. If Saudi Arabia, the guardian of the holy places of Islam, accepted the American plan and recognised Israel, the Palestinians would have nothing to say. But late last year the plan got complicated. After the assassination of Saudi journalist Jamal Khashoggi, the image and strength of bin Salman declined. The plan was further weakened in the eyes of the Arab governments by the disappointing economic part of the deal, which was seen as an invitation for them to pay for it.

Even if the US and Arab policies do not bode well for the Palestinians, they will not rally behind Oslo because they see their rulers as inefficient and corrupt. On the one hand, there is the militarised and violent Hamas and, on the other, the old elite of Mahmud Abbas who has clung on to power for more than a decade without holding elections.

Populists Instead of Leaders

Another qualitative difference between the Palestinian-Israeli politics of today and a quarter of a century ago touches on the essence of politics. Politicians can be divided into those who create the wave and those who ride it. Rabin created the wave by shaping opinions. A series of secret meetings led to agreements in Oslo. Hiding the negotiations had a justification: to lead, not give in to the grimace of public opinion, whose general mood was known and unfavourable. These actions were guided by the conviction that, with the right arguments and strength of character, politicians can influence and change people's opinions, not just express them. Rabin's goal was peace with neighbours against Israeli public opinion. He was not naïve nor did he love the Palestinians. Israeli historian Benny Morris wrote that Rabin could not hide his "distaste for Arafat" (Morris, 2001, p. 622). He knew, however, that prolonged occupation and proximity of humiliated people would degrade Israel.

Netanyahu rides the wave. Like most Israelis, he would like to bury the Palestinian cause once and for all. The current American administration, more Israeli than Israel itself vis-à-vis the Palestinians, is about to help him in that endeavour. Populist politicians may be effective in maintaining power – Netanyahu is the longest serving prime minister – but they do not protect long-term Israeli interests. Regional anger at Israel is growing, as are intra-Israeli antagonisms. European public opinion does not think favourably of Israel either (“Sharp Drop in World Views”, 2017) and for the first time in recent history Israel has become the subject of partisan strife in the US between the Republicans and Democrats. “In a country still grappling with the same fundamental problems as those in Rabin’s era, the yearning for a leader of the stature and qualities of Yitzhak Rabin is painfully felt,” writes Itamar Rabinovich, who was once the Israeli ambassador in Washington (Rabinovich, 2017, p. 4).

Civil Society Instead of the EU

In a *Foreign Policy* article of June 2019, Muriel Asseburg and Hugh Lovatt (2019) argue that the EU should not accept the American peace plan if it entrenches Israeli occupation. Of course, their recommendation and argument are correct but a fundamental implementation problem remains: relations with the US will always take the upper hand over the Palestinian case, in most if not all EU countries. Not only were several EU countries already on the verge of moving their embassy to Jerusalem but one already did so (Romania). If pushed hard enough by the US, the Europeans may not have enough strength to resist. The EU showed no enthusiasm for the plan as Federica Mogherini (EEAS 2019a, 2019b) and Jean-Claude Juncker (“Trump’s Son-in Law”, 2019) made clear on a number of occasions.

A far more effective player in saving the prospects for peace is Israeli society and civil society. For one, the Israelis have shown that at least half of them do not accept riding the waves like Netanyahu does. If Gantz, whose potential in talks with the Palestinians is as yet unknown, forms the next government, he will want to better balance the Israeli policies between the Republicans and the Democrats. It means that the possibility of him using the Kushner plan to the detriment of the Palestinians is lower. Secondly, Israeli civil society – NGOs like B’Tselem and Gisha – constantly give reasons for optimism. Paradoxically, nowhere else do activists fight for the rights of Palestinians more fiercely than in Israel, albeit at the expense of being called traitors.

References

ASSEBURG, M., & LOVATT, H. (2019, June 25). Economic band-aids won't bring peace to the Middle East. *Foreign Policy*. Retrieved from <https://foreignpolicy.com/2019/06/25/economic-band-aids-wont-bring-peace-to-the-middle-east-kushner-bahrain-conference-netanyahu-pa-israeli-palestinian/>

CASPIT, B. (2017). *The Netanyahu years*. New York: Thomas Dunne Books, St. Martin's Press.

CORTELESSA, E. (2019, May 3). Kushner underlines plan won't offer two-state solution: 'Let's just not say it'. *The Times of Israel*. Retrieved from <https://www.timesofisrael.com/kushner-says-peace-plan-a-starting-point-to-resolve-conflict/>

DE BOURMONT, M. (2019, September 12). Who is Avi Berkowitz, the new face on US Middle East peace team? *Aljazeera*. Retrieved from <https://www.aljazeera.com/news/2019/09/avi-berkowitz-trump-millennial-middle-east-envoy-190911230505098.html>

EUROPEAN EXTERNAL ACTION SERVICE. (2019a, June 18). Our work together makes things better, EU and Jordan's 13th Association Council. Retrieved from https://eeas.europa.eu/headquarters/headquarters-homepage/64299/our-work-together-makes-things-better-eu-and-jordans-13th-association-council_en

EUROPEAN EXTERNAL ACTION SERVICE. (2019b, June 19). High Representative/Vice-President Federica Mogherini in Washington: Meets with Secretary Pompeo and Adviser Kushner. Retrieved from <https://eeas.europa.eu/headquarters/headquarters-homepage/64310/ja>

GOLDBERG, J.J. (2017, March 16). Can Trump's consigliere Jason Greenblatt cut a deal in the Middle East? *The Forward*. Retrieved from <https://forward.com/opinion/366275/can-trumps-consigliere-jason-greenblatt-cut-a-deal-in-the-middle-east/>

GRAMER, R., FRANCIS, D., & GROLL, E. (2016, December 26). Trump's Israel advisor tapped to run 'all types' of world negotiations. *Foreign Policy*. Retrieved from <https://foreignpolicy.com/2016/12/27/trump-israel-advisor-tapped-to-run-trade-deals-tom-bossert-homeland-security/>

KANTOR, A. (2017, February 11). For Kushner, Israel policy may be shaped by the personal. *The New York Times*. Retrieved from <https://www.nytimes.com/2017/02/11/us/politics/jared-kushner-israel.html#>.

LEVY, D. (2019, July 5). Kushner's Israel-Palestine shindig: Easily forgettable and rather important. *The American Prospect*. Retrieved from <https://prospect.org/power/kushner-s-israel-palestine-shindig-easily-forgettable-rather-important/>

LEVY, G. (2014, April 14). Shalom, 'Oslo criminal.' Late diplomat Ron Pundak was a peace hero. *Haaretz*. Retrieved from <https://www.haaretz.com/opinion/.premium-shalom-oslo-criminal-1.5244897>

MALTZ, J. (2016). What does Jason Greenblatt, Trump's int'l negotiator, really think about the Israeli-Palestinian conflict?. *Haaretz*. Retrieved from <https://www.haaretz.com/israel-news/.premium-what-does-trump-s-negotiator-think-about-a-two-state-solution-1.5478326>

MORRIS, B. (2001) *Righteous victims. A history of the Zionist-Arab conflict 1881-2001*. New York: Vintage Books.

RABINOVICH, I. (2017). *Yitzhak Rabin. Soldier, leader, statesman*. New Haven, London: Yale University Press.

SHARP DROP IN WORLD VIEWS OF US, UK: GLOBAL POLL. (2017, July 4). *BBC World Service*. Retrieved from https://globescan.com/images/images/pressreleases/bbc2017_country_ratings/BBC2017_Country_Ratings_Poll.pdf

STATUS OF AUTHORIZATIONS: CHANGES TO ISRAEL'S CRITERIA ON MOVEMENT OF PEOPLE TO AND FROM THE GAZA STRIP. (2019, September). Gisha. Retrieved from https://gisha.org/UserFiles/File/LegalDocuments/Changes_to_status_of_authorization_EN.pdf

THE ARCHITECTS BEHIND THE US PLAN FOR MIDDLE EAST PEACE. (2019, June 25). *Aljazeera*. Retrieved from <https://www.aljazeera.com/news/2019/06/architects-plan-middle-east-peace-190624182330043.html>

TRUMP'S SON-IN LAW AND MIDDLE EAST ADVISER KUSHNER MEETS EU LEADERS. (2019, June 5). *Euractiv*. Retrieved from <https://www.euractiv.com/section/global-europe/news/trumps-son-in-law-and-middle-east-adviser-kushner-meets-eu-leaders/>

UNITED NATIONS. (1993). Declaration of principles on interim self-government arrangements. Retrieved from [https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_930913_Declaration Principles interim Self-Government%20Oslo%20 Accords %29.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/IL%20PS_930913_Declaration%20Principles%20interim%20Self-Government%20Oslo%20Accords%20.pdf)

US AMBASSADOR DAVID FRIEDMAN ARRIVES IN ISRAEL. (2017, May 16). *Aljazeera*. Retrieved from <https://www.aljazeera.com/news/2017/05/pro-settlement-ambassador-arrives-israel-170516153333959.html>

US AMBASSADOR TO ISRAEL REFUSES TO ENDORSE PALESTINIAN STATE, SUPPORTS 'EXTENDED AUTONOMY'. (2019, July 30). *Haaretz*. Retrieved from <https://www.haaretz.com/us-news/u-s-israel-ambassador-refuses-to-endorse-palestinian-state-supports-autonomy-1.7606753>

WHITE HOUSE. (2019). Peace to prosperity. The economic plan: A new vision for the Palestinian people. Retrieved from https://www.whitehouse.gov/wp-content/uploads/2019/06/MEP-narrative-document_FINAL.pdf

ZEVELOFF, N. (2017, January 15). Inside the West Bank settlement that Trump's envoy David Friedman loves best. *The Forward*. Retrieved from <https://forward.com/news/israel/359902/inside-the-west-bank-settlement-that-trumps-envoy-david-friedman-loves-best/>