

NOREF Report

Can Obama Beat the Israel Lobby?

Henry Siegman

Executive summary

Can Obama overcome the opposition of the Israel lobby, and of a Congress so deeply beholden to that lobby, and successfully promote a US peace plan? The author believes he can, particularly if he were to receive the support of former Presidents Clinton and George W. Bush, whose deep friendship with Israel is beyond challenge. The Obama plan is consistent with the Clinton parameters of December 2000 and with positions taken by Bush, who stressed that Israel cannot acquire any territory beyond the '67 lines without Palestinian consent. In a confrontation between the Israel lobby, on the one hand, and former Presidents Clinton and Bush and President Obama, on the other—who together declare their support for a peace plan they believe to be just, fair to both sides and in America's national interest—there should be no question about who would prevail.

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How one gauges the importance or shortcomings of Barack Obama's comments on the Israel-Palestine conflict in his speech of May 19 depends on how one understands the history of the Middle East peace process. My take on that history has always reminded me of the gallows humor that used to make the rounds in the Soviet Union: Soviet workers pretend to work, and their Kremlin rulers pretend to pay them. So it has been with the peace process: Israeli governments pretend they are seeking a two-state solution, and the United States pretends it believes them—that is, until President Obama's latest speech on the subject. But I am getting ahead of myself.

The main agency for the promotion of this deception in the United States has been the American Israel Public Affairs Committee (AIPAC), whose legitimacy is based on the pretense that it speaks for

the American Jewish community. It does not, for the lobby's commitment is to Israeli governments of a certain right-wing cast.

AIPAC went into virtual hibernation during the government of Prime Minister Yitzhak Rabin in the 1990s because he disliked its politics and the notion that an Israeli prime minister needs AIPAC's intercession to communicate with the US administration. The chemistry between them was so bad that Rabin encouraged the formation of a new American support group, the Israel Policy Forum.

It is not widely known that in 1988 the three major US Jewish "defense" organizations—the American Jewish Committee, the American Jewish Congress and the Anti-Defamation League—joined in a public challenge to AIPAC (as well as to the Conference of Presidents of Major American Jewish Organizations),

charging that the policies it advocates do not always represent the views of the American Jewish community. I am familiar with the episode because I served on the executive committee of AIPAC for nearly thirty years—from 1965 to 1994—while heading the Synagogue Council of America and then the American Jewish Congress. As the *New York Times* reported at the time, the challenge was “politically significant because it suggests that American Jewish opinion is more diverse and, on some issues, less hard-line than the picture presented by AIPAC, which is viewed by Congress and the Administration as an authoritative spokesman for American Jews.”¹ AIPAC managed to neutralize the challenge by promising deeper consultation with the three organizations, which of course it never did.

Today, AIPAC gives full and unqualified support to an Israeli government most of whose members deeply oppose a two-state solution. The lip service that Prime Minister Benjamin Netanyahu and his foreign minister, Avigdor Lieberman, pay to such an accord is a cover for their government’s overriding goal of foiling one. In fact, it is a goal that Israeli governments have pursued since 1967, when the Palestinian territories came under Israel’s control. As Aluf Benn of *Haaretz* noted this April:

Israeli foreign policy has, for the past 44 years, strived to prevent another repetition of this scenario [Israel’s withdrawals from territory beyond its legitimate borders, forced first by President Truman and then by President Eisenhower] through a combination of intransigence and a surrender of territories considered less vital (Sinai, Gaza, the West Bank cities, South Lebanon), in order to keep the major prizes (East Jerusalem, the West Bank, the Golan Heights).²

Most members of Netanyahu’s government do not hide their opposition to Palestinian statehood, and they openly advocate Israel’s permanent retention of the occupied territories. Danny Danon, a Likud member

and deputy speaker of the Knesset, published an op-ed in the *New York Times* the day before Netanyahu met with President Obama at the White House, calling on Netanyahu “to rectify the mistake we made in 1967 by failing to annex all of the West Bank.”

In a June 2009 speech, under pressure from the Obama administration, Netanyahu declared his acceptance of a two-state solution. It was a patently insincere speech, for he uttered not the slightest reproach when senior members of his own Likud Party and ministers in his government announced the formation of a thirty-nine-member Land of Israel Caucus, the largest caucus in the Knesset. The co-chair of the caucus is Ze’ev Elkin, head of the party’s parliamentary delegation. It includes the Likud’s Reuven Rivlin, Knesset speaker; Benny Begin, a member of the so-called Septet, Netanyahu’s seven-member inner security cabinet, which passes on all major government decisions; as well as several other ministers and deputy ministers in Netanyahu’s cabinet. *Haaretz* reported at the time that the only two Likud ministers in his government who did not support the caucus were Dan Meridor and Netanyahu himself. Only one minister, Michael Eitan, objected to it, calling the caucus a “thunderous contradiction” of Netanyahu’s declared commitment to a two-state accord.³

The official goal of the caucus is to strengthen “Israel’s grasp on the entire Land of Israel.”⁴ If that’s not clear enough, Begin helpfully elaborated: “The establishment of a foreign independent sovereign state headed by the PLO in parts of the Land of Israel stands in opposition to two basic ideas that are both supported by a majority of the Knesset: the absolute historic right of the Nation of Israel to the Land of Israel and the right of the State of Israel to national security.”⁵

Is there any question in anyone’s mind how the United States would react to the presence in Mahmoud Abbas’s Palestinian Authority government of ministers who made similar claims to Palestinian rights in any part of pre-1967 Israel?

1 ‘Leaders of 3 U.S. Jewish Groups Take Issue With Pro-Israel Lobby,’ *New York Times*, Robert Pear, October 18, 1988. <http://www.nytimes.com/1988/10/18/world/leaders-of-3-us-jewish-groups-take-issue-with-pro-israel-lobby.html>

2 ‘Netanyahu fell into the Palestinians’ diplomatic trap,’ *Ha’aretz*, Aluf Benn, April 27, 2011. <http://www.haaretz.com/print-edition/opinion/netanyahu-fell-into-the-palestinians-diplomatic-trap-1.358312>

3 ‘One year on, most Israelis disapprove of Netanyahu,’ *Ha’aretz*, Yossi Verter, February 5, 2010. <http://www.haaretz.com/weekend/week-s-end/one-year-on-most-israelis-disapprove-of-netanyahu-1.265892>

4 ‘More Than 25% of Knesset Joins “Land of Israel Forum,”’ *Arutz Sheva*, Staff, February 4, 2010. <http://www.israelnationalnews.com/News/News.aspx/135858>

5 Ibid.

Part of the problem for the Obama administration in seeking Israel's return to the pre-1967 border is a widely-held impression in the United States, and even more so in Israel, that the previous Bush administration did not believe Israel is obliged to do so. That impression is the result of a 2004 letter from President Bush to Prime Minister Ariel Sharon, in which Bush wrote that "In light of new realities on the ground... it is unrealistic to expect that the outcome of final status negotiations will be a full and complete return to the armistice lines of 1949." It is an impression that was reinforced by Bush's failure to press for a resolution of the conflict and for an Israeli clarification of its policy regarding the end-game.

But that impression is false. President Bush was never less than clear on three fundamentals—on some of them, clearer, ironically, than the Obama administration has been:

1. Whatever changes to the 1967 border the U.S. would support to accommodate certain settlement blocks east of the 1967 border, these changes cannot come about without Palestinian consent.
2. The changes must be minimal and cannot compromise the territorial contiguity of Palestinian territory—a stipulation that arguably would not allow Israel to annex Ariel and Ma'ale Adumim.
3. Israel is obliged under the terms of the Roadmap for Middle East Peace and other bilateral agreements with the Palestinians, including the 2005 Agreement on Movement and Access (linking the West Bank and the Gaza Strip), to halt all settlement expansion and to create a sovereign and contiguous Palestinian entity.

Thus, during his May 26, 2005 joint press conference with Mahmoud Abbas, President Bush stated the following:

Any final status agreement must be reached between the two parties, and changes to the 1949 armistice lines must be mutually agreed to. A viable two-state solution must ensure contiguity of the West Bank, and a state of scattered territories will not work. There must also be

meaningful linkages between the West Bank and Gaza. This is the position of the United States today, it will be the position of the United States at the time of final status negotiations.⁶

At this same press conference, in response to a reporter's question, President Bush said that he told Israel's Prime Minister Sharon when he met him in Crawford, Texas, that "when you say you're going to accept the road map, you accept the road map. And part of the obligations of the road map is not the expansion of settlements."⁷

On October 20, 2005, President Bush stated:

It's important that we make quick progress on the issues that Jim [Wolfensohn, the Quartet's Special Envoy to the Middle East Peace Process] has identified as most critical to the Palestinian economy, including opening the Rafah crossing, connecting the West Bank in Gaza, improving the ability of Palestinians to travel in the West Bank and beginning work on the Gaza seaport. ...

Israel should not undertake any activity that contravenes its road map obligations, or prejudices the final status negotiations with regard to Gaza, the West Bank and Jerusalem. This means that Israel must remove unauthorized posts and stop settlement expansion. It also means that the barrier now being built to protect Israelis from terrorist attacks must be a security barrier, rather than a political barrier. Israeli leaders must take into account the impact this security barrier has on Palestinians not engaged in terrorist activities.⁸

Bush's objection to the political implications of Israel's so-called security barrier was remarkable. It has not been repeated, to the best of my knowledge, by the Obama administration.

6 'President Welcomes Palestinian President Abbas to the White House,' White House Press Release, May 26, 2005. <http://georgewbush-whitehouse.archives.gov/news/releases/2005/05/20050526.html>

7 'Bush-Abbas Meeting; Mideast Reaction; Zarqawi Wounded?' *CNN Live Transcript*, May 26, 2005. <http://transcripts.cnn.com/TRANSCRIPTS/0505/26/lt.02.html>

8 Archived at <http://georgewbush-whitehouse.archives.gov/news/releases/2005/10/20051020.html>

Finally, in remarks following her meeting with Tzipi Livni on February 8, 2006, Secretary of State Condoleezza Rice said.

The United States position on [unilateral changes in the border] is very clear and remains the same. No one should try and unilaterally predetermine the outcome of a final status agreement. That's to be done at final status. The President did say that at the time of final status, it will be necessary to take into account new realities on the ground that have changed since 1967, but under no circumstances should those realities be—should anyone try and do that in a preemptive or predetermined way, because these are issues for negotiation at final status.⁹

For some time now, Obama has been urged by senior foreign policy experts who served in previous administrations to abandon his efforts to revive the moribund peace process and instead present Israelis and Palestinians with an American outline of an accord. But Dennis Ross, Obama's senior adviser on the Middle East, strongly opposed this course,¹⁰ as did Leslie Gelb, former president of the Council on Foreign Relations. In a recent blog post, Gelb wrote that “taking this leap [toward an American plan] without any prior indication by the two parties that they'd accept U.S. terms... would be jumping off the cliff for peace.... If this grand leap fails, U.S. credibility would virtually disappear, and the warring parties could be left without a viable intermediary. Then what?”¹¹

Critics of the proposed US initiative are certainly right about its likely rejection by this Israeli government. But they seem blindingly unaware that their question, “Then what?” is evoked far more forcefully by their insistence on returning to a

process that has gone absolutely nowhere in twenty years—precisely because it has shielded Israel from outside pressures. It has left the Palestinians to the tender mercies of colonial rulers ever more intent on retaining control over a West Bank to which they have transferred, in blatant contravention of the Fourth Geneva Convention, more than 300,000 Israeli settlers—and that does not count the 200,000 illegal settlers in East Jerusalem.

Haaretz columnist Nehemia Shtrasler wrote recently that “Netanyahu is not ready for any agreement, any concession, any withdrawal; as far as he is concerned, it's all the Land of Israel.”¹² Netanyahu's May 24 speech before the US Congress left no doubt that this is the case. Therefore, the purpose of a US peace initiative to rescue a two-state solution cannot be to obtain the acceptance of Netanyahu's government. Its purpose, instead, must be to establish clear red lines that define the limits of US support for Israeli and Palestinian policies. Both parties need to know that neither retaining the West Bank under Israeli control nor permitting unlimited rights of return to Israel for Palestinian refugees will receive US support.

The outline of such an initiative was presented to President Obama in several letters by former senior officials, including Zbigniew Brzezinski, Frank Carlucci, William Fallon, Chuck Hagel, Lee Hamilton, Carla Hills, Nancy Kassebaum-Baker, Thomas Pickering, Brent Scowcroft, James Wolfensohn and Paul Volcker. They proposed that negotiations take place within the following parameters:

1. The United States will work to establish a sovereign and viable Palestinian state based on the 1967 borders, subject only to agreed, minor and equal land swaps to take into account areas adjoining the former Green Line that are heavily populated by Israelis. Unilateral changes to the 1967 borders will not be accorded US recognition or legitimacy.
2. The United States will support a solution to the refugee problem on the principle of two states for two peoples; it would address the Palestinian

9 ‘Joint press conference by FM Livni and Secy Rice,’ Israeli Ministry of Foreign Affairs, February 8, 2006. <http://www.mfa.gov.il/MFA/Government/Speeches+by+Israeli+leaders/2006/Joint+press+conference+by+FM+Livni+and+Secy+Rice+8-Feb-2006.htm>

10 ‘Invitation to Israeli Leader Puts Obama on the Spot,’ *New York Times*, Helene Cooper, April 20, 2011. <http://www.nytimes.com/2011/04/21/world/middleeast/21prexy.html>

11 ‘The Israel-Palestine Vote Igniting the Mideast,’ *The Daily Beast*, Leslie Gelb, April 25, 2011. <http://www.thedailybeast.com/blogs-and-stories/2011-04-24/the-israel-palestine-un-statehood-vote-igniting-the-mideast-behind-the-scenes/#>

12 ‘Netanyahu is not ready for any deal with the Palestinians’ *Ha'aretz*, Nehemia Shtrasler, May 24, 2011. <http://www.haaretz.com/print-edition/opinion/netanyahu-is-not-ready-for-any-deal-with-the-palestinians-1.363666>

refugees' sense of injustice, and provide them with resettlement opportunities and financial compensation. The United States will oppose proposals that undercut the principle of two states for two peoples—such as proposals for unlimited entry of Palestinian refugees into the State of Israel.

3. The United States believes *both* states must enjoy strong security guarantees. In this context, Washington will support a nonmilitarized Palestinian state along with security mechanisms that address legitimate Israeli concerns while respecting Palestinian sovereignty. The United States will support the presence of a US-led multinational force to oversee security provisions and border crossings.

4. The United States believes Jerusalem should be home to both states' capitals, with Jewish neighborhoods falling under Israeli sovereignty and Arab neighborhoods under Palestinian sovereignty. Regarding the Old City, arrangements should provide for each side to control its holy places and to have unimpeded access by each community to them.

5. The United States will encourage the reconciliation of Fatah and Hamas on terms compatible with these principles and UN Security Council Resolutions 242 and 338.

The signers of these letters urged that if a US-supported plan is rejected by either side, the United States and Europe should submit it to the UN Security Council. With US and European support, the Council would surely adopt the plan. If either party refused to abide by the Council's determination, it would be on its own. The United States would of course continue to counter threats to Israel's security, but it would no longer provide a diplomatic shield for Israel from international criticism when it disregards US guidelines, nor would Washington discourage international efforts by Palestinians to seek redress in various international political and judicial forums.

Such a U.S. initiative would pave the way for a two-state accord—not with current Israeli leaders, but with those who will replace them. It is not clear whether a majority of Israelis supports a two-state

solution, but a majority does understand that without US friendship and support, Israel has no future in that part of the world.

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To be sure, Washington cannot impose terms for a peace accord. But neither can the two sides impose on the United States an obligation to support policies that deeply offend American principles of justice and respect for international law and bilateral agreements—especially if the policies would damage vital US interests in the region and beyond.

Which brings me to the president's May 19 speech. Even though what he said will not produce renewed peace talks—much less a peace agreement—it was important because it laid down certain markers:

1. The time to press for a peace accord is now, not some time in the indeterminate future.
2. Putting forward American parameters for bilateral talks is not an imposition on the parties. The parameters are essential terms of reference for successful talks.
3. The starting point for talks about mutually agreed-upon territorial swaps must be the 1967 lines.
4. A peace accord must provide credible security arrangements for both parties and “full and phased” withdrawal of Israel's military forces from the West Bank.

Obama proposed that the parties seek agreement on border and security issues before tackling the status of Jerusalem and the rights of refugees. The danger of such a two-stage process is that Israel may have no interest in proceeding to the second stage, leaving an undivided Jerusalem in its hands and the refugee issue unaddressed. It is also hard to imagine that Palestinians will agree to borders before the status of Jerusalem has been resolved or before they know whether their state would have to accommodate all refugees who wish to return.

The fatal flaw in Obama’s proposal is that it does not state clearly that rejecting his parameters will have consequences. Indeed, he seemed to suggest the opposite when he stressed on May 19 and in his speech to AIPAC on May 22 that the ties that bind America to Israel are “unshakable” and “ironclad.” Did Obama really mean to say that Washington would continue to defend Israel against its critics if Israeli policy were—and as everyone in Israel above the age of 6 knows, already is—to prevent a Palestinian state? In those circumstances, would our “unshakable” and “ironclad” ties require us to continue providing billions in military funding to help the IDF enforce the permanent disenfranchisement and dispossession of the Palestinian people?

If that is what the president meant, what right do we have to berate Palestinians for turning to the UN—source of the two most fundamental resolutions to the peace process, 242 and 338—for adjudication of their grievances? If that is not what he meant, why didn’t he tell his AIPAC audience and Netanyahu, in the spirit of—as Obama put it in his speech before AIPAC—“real friends talk openly and honestly with one another,” that US support for Israel could not survive an Israeli government that pursues such policies?

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It is generally believed that for a US president to speak truthfully to the American people about the dishonesty of this Israeli government’s peaceful pretensions is to invite a devastating loss of financial support, as well as electoral defeat. Can Obama overcome the opposition of the Israel lobby, and of a Congress so deeply beholden to that lobby, and successfully promote a US peace plan? I believe he can, particularly if he were to receive the support of former Presidents Clinton and George W. Bush, whose deep friendship with Israel is beyond challenge. The plan is consistent with the Clinton parameters of December 2000 and with positions taken by Bush, who stressed that Israel cannot acquire any territory beyond the ‘67 lines without Palestinian consent.¹³ In a confrontation between

the Israel lobby, on the one hand, and former Presidents Clinton and Bush and President Obama, on the other—who together declare their support for a peace plan they believe to be just, fair to both sides and in America’s national interest—there should be no question about who would prevail.

This is the only way the Obama administration can bring about an end to this long-running and tragic conflict, ensure the survival of Israel as a Jewish and democratic state, and regain the respect and trust it has lost—in the region and in much of the world—because of its mishandling of this issue. It is also the only way the administration can protect Israel from an inevitable and unstoppable wave of delegitimization that would surely follow a UN General Assembly vote recognizing the legitimacy of Palestinian statehood within the pre-1967 borders. Some Obama advisers assume that the hundreds of thousands of Arabs throughout the region who have risked their lives—and continue to do so—to regain their freedom and dignity will remain indifferent to Israel’s denial of that freedom and dignity to millions of Palestinians. That is a delusion that will bring about catastrophic consequences.

Israelis would do well to heed a warning by the sages of the Talmud: *Tafasta merubah, lo tafasta!* (If you try to grab it all, you risk losing it all!)

13 Any final status agreement must be reached between the two parties, and changes to the 1949 armistice lines [the pre-1967 border] must be mutually agreed to. A viable two-state solution must ensure contiguity of the West Bank, and a state of scattered territories will not work. There must also be meaningful linkages between the West Bank and Gaza. This is the position of the United States today, it will be the position of the United States

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