

# Jared Kushner's Peace Plan Would Be a Disaster

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Articles & Testimony

**The only way to protect the long-term viability of the plan's best aspects is to kill it.**

Last week, I interviewed White House adviser Jared Kushner (<https://www.washingtoninstitute.org/policy-analysis/view/inside-the-trump-administrations-middle-east-peace-effort-a-conversation-wi>) on the Middle East peace process at The Washington Institute's annual conference, an event broadcast live on C-SPAN (<https://www.c-span.org/video/?460344-1/jared-kushner-discusses-trump-administrations-middle-east-peace-efforts>). Given that I had recently written an article (<https://www.washingtoninstitute.org/policy-analysis/view/trump-must-not-let-jared-kushners-peace-plan-see-the-light-of-day>) calling his forthcoming peace plan a “lose-lose-lose proposition” that President Trump should shelve in order to avoid facing embarrassing failure, Kushner was a good sport for agreeing to the interview. For 45 minutes, we joust— I thrust, he parried—and throughout the discussion, he was poised, personable, and disciplined. While he clarified key aspects of his thinking about Middle East diplomacy, he kept major revelations to a minimum.

Still, we learned a lot. Specifically:

- The U.S. plan will provide detailed proposals to answer all core issues on the Israeli-Palestinian agenda, including suggestions for the final borders of Israel, the disposition of the disputed city of Jerusalem, the future of Palestinian refugees, the security arrangements that will protect the peace agreement, and the ultimate political relationship between Israelis and Palestinians. This will not be a plan about how to create a new negotiating process; rather, he boldly declared that its goal is to offer “solutions.”
- The U.S. plan will highlight the equation of security for Israelis and enhanced quality of life for Palestinians, with less emphasis on the “political aspirations” of the Palestinians. When he was given the opportunity of endorsing the idea of demilitarized statehood—“state-minus”—that Israeli Prime Minister Benjamin Netanyahu himself once proposed,

Kushner said he was eschewing the term “state” altogether: “If you say ‘two-states’ it means one thing to the Israelis, it means one thing to the Palestinians, and we said, let’s just not say it,” he explained—although why he would propose answers to all peace process issues but punt on providing a U.S. definition of “statehood” was left unclear. Indeed, it was like pulling teeth to extract from Kushner much empathy for Palestinian political aspirations, however defined. (At one point, he did use the word “countries” when referring to Israel and the Palestinian entity-to-be, but it seemed more of a slip of the tongue than a politically laden reference.)

- The U.S. plan will focus heavily on making the Palestinian area a magnet for investment as a way to improve Palestinian lives. But sequencing here is critical: Kushner noted that achieving that goal will require delineation of borders followed by fundamental political reform of the Palestinian Authority, a thorough anti-corruption effort, and the establishment of effective rule of law, including property rights. In other words, in addition to money—“other people’s money,” he noted, implying only a modest American contribution—it will take a lot of time before Palestinians see living standards improve.

If those three points constituted the lyrics of the Kushner plan, the melody was in line with his father-in-law’s trademark brashness and bluster, though with more charm and affability than the family patriarch normally musters. Speaking to a room full of Middle East experts, Kushner was boldly dismissive of the concept of expertise. Asked about his definition of success and the potential implications of failure, he brushed it off as a “Washington question”—though he then went on to concede that failure was the most likely option, calling it the “smart money bet”—while offering various definitions of diplomatic success: “Success can look like a lot of different things. It can look like an agreement, it can look like a discussion, it could lead to closer cooperation, maybe resolve a couple of issues,” he said. He even seemed impatient with the idea that history—historical memory, historical legacy, historical grievance—might play a role in a conflict most observers believe is laden with history.

Rather, he made the case for himself as a cross between truth-teller and practical problem-solver by citing his unexpected achievements—trade deals with Mexico and Canada, a legislative breakthrough on criminal justice reform—and he extolled the business pedigree of the trio of real estate and bankruptcy attorneys responsible for the “peace process” portfolio in the Trump Administration: himself, his top aide Jason Greenblatt, and U.S. Ambassador to Israel David Friedman. And, in a bit of news, Kushner admitted that the President himself had not yet read the draft peace plan, which he said is still going through revisions. “When you work for a President, you try hard not to disappoint, but you can disappoint.” He continued, “When you work for your father-in-law, you can’t disappoint.”

Add it all up and Kushner presented a novel, though not wholly unprecedented, approach to Middle East peacemaking. The Kushner Plan—if it is endorsed and proposed by Trump—would be the first since the abortive Reagan Plan of 1982 in which the United States issued its own ideas for the permanent resolution of the Israeli-Palestinian conflict, unconnected to ongoing peace talks. In so doing, it would run against the longstanding U.S. policy of favoring direct negotiations between the parties as the best way to reach a mutually satisfactory agreement. Moreover, the exclusion of statehood from the U.S. formula would itself be a major step away from the bipartisan consensus that emerged following President George W. Bush’s endorsement of the goal of Palestinian statehood in 2002.

Ironically, in terms of form, Kushner’s emphasis on defining a final outcome and then working with the parties on the best way to implement it mirrors the traditional Arab approach to peacemaking. This is best reflected in the Arab Peace Initiative, an idea put forward by Saudi Arabia in 2002 that called for full Israeli withdrawal from all territory occupied in 1967 in exchange for full recognition by all Arab states. The API was criticized by Israel—and rightly so—because it offered no room for negotiation, just discussion on implementation. On substance, however, Kushner’s proposal seems designed to avoid political minefields that could complicate Netanyahu’s life, such as the legitimacy of Israeli settlements deep in the heart of the West Bank, to sidestep longstanding Palestinian demands such as

statehood, and to incorporate Israeli-centric ideas on security arrangements. The result is a case of diplomatic cognitive dissonance—a proposal that the current Israeli government should reject on form but is likely to welcome on substance.

But any attempt to view the Kushner plan through the prism of past diplomacy misses its real innovation. In my view, it is far more instructive to view Kushner and his colleagues as developers applying to the Middle East lessons from the New York real estate market than as diplomats trying to solve a thorny, longstanding international dispute. Reading between the lines, it seems as though they view the peace process as the functional equivalent of turning a rent-controlled apartment building in midtown Manhattan into luxury condominiums. For the Kushner team, a key element of the strategy is to lower Palestinian expectations about what they will receive in the American plan, especially after rejecting so many previous proposals from Israel. While there are sound reasons for Trump to have repaired ties with Israel after the strains of the Obama years, one cannot fault Palestinians for seeing the Administration's approach to them—from cutting aid to shuttering the representational office in Washington—as punitive; it seems to have been lifted from the playbook of a bankruptcy lawyer reacting to an adversary's recalcitrance by offering 30 cents on the dollar today and only 20 cents on the dollar tomorrow.

Anyone who knows the Middle East knows that the analogy between the peace process and a New York real estate transaction quickly breaks down. If past is prologue, most Palestinians—and certainly their leaders—would prefer to wait out the developers rather than accept a lowball offer; after all, they rejected far more attractive offers before, which is what Abba Eban's quip about “never missing an opportunity to miss an opportunity” was all about. Ultimately, Palestinians know they have an extremely valuable asset to offer Israel—psychological and political acceptance—and are confident that the Israelis will eventually come around to offering a lot more for a final resolution to their century-old conflict than the Kushner Plan apparently envisions.

Moreover, unlike a real estate transaction in which one party gets the property and the other party gets the cash, a Middle East peace deal starts and ends with the two parties as neighbors, stuck with each other sharing a duplex for eternity. And whereas New York presents boundless possibilities, a place where there is always another plot to develop, another building to buy, another apartment complex to go condo, there is only one piece of land at stake in the Israeli-Palestinian arena, and Palestinians have nowhere else to go. This doesn't mean Israel has to accede to 100 percent of Palestinian demands, but it does mean the conflict will never truly end unless each side believes the other has made good-faith effort to reconcile its needs to the desires of the other side—a situation which certainly does not obtain in the current circumstances.

A key fact that seems missing from the Kushner formula is that Israelis and Palestinians are not starting from zero. They are currently 25 years into their own contractual relationship, the Oslo process, and, despite periods of conflict and tension, neither side has found the status quo so objectionable that it has decided to blow it up. Indeed, for all its faults, the Palestinian Authority has evolved over this time into something akin to a normal Arab state—less corrupt, dysfunctional, violent, and authoritarian than some; more corrupt, dysfunctional, violent, and authoritarian than others. And since Israel's suppression of the second intifada 15 years ago and the loss of Gaza to the extremists of Hamas three years later, the post-Arafat Palestinian Authority, led by Mahmoud Abbas, has more-or-less kept the peace with Israel, maintained security cooperation with the Israeli army, and ensured that the West Bank did not fall into the hands of Islamist radicals.

Any intelligent U.S. peace proposal should begin with how to build upon the existing edifice, taking pains to ensure that nothing is done to risk the fragile status quo. But Kushner's remarks lacked any appreciation for this gray reality. At one point during our conversation, Kushner used a medical metaphor to boldly assert his plan will “cure the disease” fueling Israeli-Palestinian conflict, but his real challenge will be to ensure his proposal doesn't violate the Hippocratic Oath—do no harm.

This indifference to the potential implications of failure is why I not only believe that his plan poses a danger to U.S. interests but that it is reckless for the Administration to even give it a try. While the United States should certainly be prepared to offer its own ideas to help the parties close the final gap in negotiations—as Jimmy Carter did at Camp David in 1979, after Menachem Begin, Anwar Sadat, and their teams had already spent 17 months in intensive bargaining—the chasm between Israelis and Palestinians today is so wide that no conceivable bridging formula exists. Viewed this way, the specific details of what Kushner and Co. are preparing to put on the table don't really matter because, in the current political environment, there is no possible overlap between the most Israel will offer and the least the Palestinians will accept (and vice versa). Giving it the ol' college try—which is essentially what Trump has empowered Kushner to do—is not admirable; it is irresponsible.

If failure is the “smart money bet,” there is still another reason why friends of Israel—including friends of the current Israeli government—should think twice before urging President Trump to formally pursue his son-in-law's peace plan: the risk that failure will delegitimize Kushner's best ideas. Indeed, Kushner may think that his plan will survive as the new reference point for future negotiations even if it fails to achieve a peace breakthrough, but it is at least as likely that those ideas—even if they are solid, worthy, valuable ideas—get tossed in the diplomatic dung-heap by Trump's successors. Given America's deeply tribal political partisanship, it is not difficult to imagine a future administration—especially a Democratic one—refusing to reconsider proposals on such issues as security arrangements, refugee resettlement, Palestinian political reform, and regional economic development if they bore the Trumpian stamp. And because the Kushner team approaches these issues with a deep affinity for Israel, this is likely to harm ideas that seem especially friendly to the Jewish state. This is why I hope that Netanyahu comes to his senses and does what he can to scuttle the “deal of the century” before it becomes formal U.S. policy.

Of all the characters in this emerging tragicomedy, the most puzzling is not Kushner, who seems genuine in wanting to craft a plan that would satisfy his father-in-law's desire to be a Middle East peacemaker. Nor is it Abbas, who seems to be playing to script, preferring to tread the tired path of seeking meaningless UN resolutions and applause in European capitals. (If only Abbas had Sadat's imagination and backbone, he would realize that the best way to torpedo a U.S. plan that threatens his interests is by boldly proposing direct talks with Israel.) Rather, the most confounding character is Netanyahu.

Soon to become Israel's longest serving Prime Minister, Netanyahu's longevity owes to a combination of ruthless political skill and innate aversion to risk. No democratic leader today matches his natural talent for figuring out how to win elections, even if victory involves skating perilously close to the political, legal, and moral edge. And no leader on the world stage today has registered his success in combining bold, creative diplomacy with restrained, judicious use of military power to improve his country's strategic position.

Under normal circumstances, the last thing Netanyahu would want is for the President of the United States to propose a detailed plan for the permanent resolution of the Israeli-Palestinian conflict. He is a champion of incrementalism, step-by-step diplomacy that tests both the other side's true intentions and the political flexibility of his own core supporters—and he has been right to shy away from big, “Made in America” ideas about what's best for Israel.

Why, then, does Netanyahu appear sanguine about the coming peace plan? Why does he seem willing to legitimize a dangerous strain of know-it-all American solutionism and welcome, even encourage, Trump to propose precisely what he has long opposed?

There are many possible explanations. After Trump's decisions to move the U.S. Embassy to Jerusalem, to scuttle the detested Iran nuclear deal, and to recognize Israeli sovereignty on the Golan Heights, perhaps Netanyahu views the Trump presidency as a once-in-a-lifetime opportunity to enshrine the Administration's pro-Israel inclination as official U.S. government policy. Perhaps Netanyahu is confident that Abbas will flub the leadership test and that

Palestinian miscues will open the door for Israel to annex key parcels of West Bank territory without triggering either outrage in Washington or much opposition in the wider Arab world. Perhaps Netanyahu is so deeply burdened by his own legal woes that he views the “deal of the century” as a political life preserver.

Whatever the rationale, I hope that “Bibi the strategic thinker” wins out over “Bibi the political tactician,” and that he uses whatever tools at his disposal to abort the Kushner plan in the few weeks left before Trump releases it as his own. This may demand a direct appeal to the President. Alternatively, it may require enlisting the support of someone the President respects—prominent Republican donor Sheldon Adelson or Trump-whisperer Lindsey Graham come to mind—to make an appeal on his behalf. For Israel and its friends, the key point remains: The only way to protect the long-term viability of the best aspects of the Kushner plan is to kill the plan.

*Robert Satloff is executive director of The Washington Institute.* ❖

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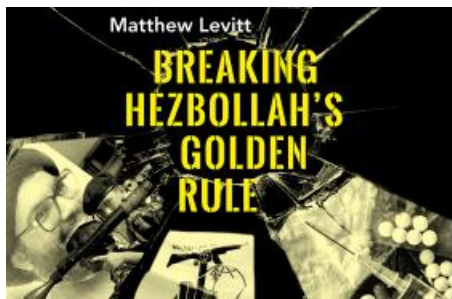
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