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TAKING STOCK OF THE MIDDLE EAST IN 2015

EDITOR

Jon B. Alterman

CONTRIBUTORS

Carolyn Barnett

John McLaughlin

Stephen D. Biddle

Ghaith al-Omari

Farideh Farhi

Roger Owen

Haim Malka

Paul Salem

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INTERNATIONAL STUDIES

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9 The Arab-Israeli Conflict

GHAITH AL-OMARI

For the last seven decades, the Israeli-Palestinian conflict has been a central defining feature of the Middle Eastern geostrategic landscape. In recent years, resolving this conflict through a negotiated two-state solution has become a matter of global and regional consensus and the subject of numerous initiatives. Changing realities between and within Palestine and Israel and the transformations facing the region at large have raised questions as to the feasibility of reaching such a permanent solution.

The question of whether negotiations can resolve the conflict and create an independent Palestinian state has led some to indifference and others to renewed zeal. Ironically, as some regional forces appear to be drifting toward distancing them-

selves from the Israeli-Palestinian conflict, several European governments are deepening their engagement on the issue with a more critical stance toward Israel.

Both approaches—indifference and engagement—could precipitate a dramatic shift from the status quo. Actions such as UN Security Council (UNSC) recognition of Palestinian statehood, Israeli annexation of West Bank territory, or the collapse of the Palestinian Authority (PA) could lead the conflict into a new phase with potentially profound diplomatic and political consequences. A series of resultant events could dislodge the presumed U.S. mediating role, create a new arena of violent conflict in a region already in turmoil, and lock Israelis and Palestinians into another round of sustained violence which

would exact large economic, political, and human tolls.

PROSPECTS FOR ISRAELI-PALESTINIAN PEACE

Currently, the prospects for a resolution to the Israeli-Palestinian conflict seem slim. While still desiring a two-state solution, Israeli public opinion has largely abandoned the hope of reaching a permanent peace agreement. Israelis widely believe there is no partner on the Palestinian side

with the political will or muscle to negotiate a peace agreement. The Israeli national security establishment's priorities are Iran's nuclear program, ongoing regional changes, and terrorism. The lack of prospects for peace, along with the government's right-lean-

ing world view, has placed Israel at odds with much of the international community. That includes close allies such as the United States and much of Europe. A combination of all these factors has created a sense of defensiveness and uncertainty, hardening Israeli positions.

The Palestinian arena is no less complicated. In a striking mirror image of Israeli public opinion, most Palestinians desire a two-state solution but see it as unachievable because of the lack of an Israeli part-

ner. And Palestinian politics are paralyzed. A deep divide remains between Hamas, which has ruled Gaza since violently taking it over in 2007, and Fatah, which dominates the Palestine Liberation Organization (PLO) and the Palestinian Authority (PA) West Bank government. Successive attempts to recreate national unity have collapsed in all but name. Hamas and Fatah each face a crisis of legitimacy due to their lack of a credible national vision to establish an independent state, percep-

tions of their corruption and poor governance, and restrictions on public freedoms. For Fatah—and by extension the PLO and the PA—the question of succession looms large and largely unanswered. In the meantime, the Palestinian arena is becoming again

the theater for regional proxy power play, as seen in last summer's Gaza war.

Regionally, the Palestinian issue appears much less pressing. The Arab world is preoccupied with other regional priorities: Iran's nuclear program and wider regional role; the fallout of the Arab uprisings in Egypt, Syria, Iraq, Yemen, and elsewhere; and the Islamic State group (ISG) and violent extremism. Additionally, Arab uncertainty about U.S. leadership, intentions, and dependability casts its shadow on the

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prospects for robust regional support for pursuing Israeli-Palestinian peace. Common threats facing Arab states and Israel have intensified their already-existing yet unacknowledged security relations. But these relations have been unable to cross over to diplomacy and other forms of overt cooperation due to the lack of progress on the peace process.

After two costly failed attempts at peacemaking during the Barack Obama administration, the United States seems reluctant to try again. Even if the administration were inclined to reengage or reassess its policy, as President Obama has indicated following Prime Minister Benjamin Netanyahu's election eve dismissal of a Palestinian state, it will have to contend with more immediate regional priorities. Negotiations regarding Iran's nuclear program continue to create domestic and international challenges. In the meantime, building and maintaining a broad international coalition for the campaign in Iraq and Syria against the ISG demands significant attention.

All these factors—from the Palestinian side, the Israeli side, the region, and the United States—combine to make successful negotiations unlikely in the short term. The continuation of the status quo seems to be the most likely scenario going forward, even as many international leaders suggest that the status quo is unsustainable—or at least potentially disruptive.

IMPLICATIONS FOR PALESTINE

The continuation of the status quo raises challenges for Israel, the Palestinians, and the region. These challenges are perhaps most severe for the Palestinians by virtue of the transitional nature of the PA and the Palestinians' lack of sovereignty. For the Palestinians, the continuation of the status quo means the continuation of the occupation, with all its attendant social, material, and political hardships.

Diplomatic Crisis

The lack of progress toward ending the occupation has put tremendous strain on Palestinian political and governance institutions. The PLO, the PA, and Fatah have invested all their credibility in the quest to reach a negotiated two-state solution. With that prospect receding, the leadership finds itself directionless and unable to present a vision around which Palestinians can rally.

The PLO leadership has sought to divert some of the pressure through a series of diplomatic steps such as joining international treaties and UN agencies, seeking bilateral recognition from states, and resorting to the UNSC to recognize Pal-

estonian statehood. While such steps are popular and have temporarily buttressed the PA's domestic standing, this approach presents significant risks. Most important, this approach cannot produce concrete changes in the reality on the ground. It cannot deliver economic breakthroughs that would mollify the Palestinian public by improving people's day-to-day lives. Instead, for this approach to continue generating traction, it must assume an escalatory dynamic: after each step that fails to change reality, the PA will have to take a more severe measure to grab its public's imagination. This presents two problems. First, there is a finite number of measures at the Palestinians' disposal. Indeed, once the Palestinians have joined the International Criminal Court (ICC), there remain few if any further meaningful diplomatic steps that they can take. Second, as the Palestinian steps increase in severity, so would the Israeli and potentially U.S. reaction. In response to Palestine joining the ICC, Israel has withheld transfer of tax revenues to the PA. Steps are under way in the U.S. Congress to defund the PA as well.

National Disunity

Other factors beyond the PA-Hamas rift exacerbate the strain on the Palestinians: the lack of progress on Gaza reconstruction and Palestinian governing institutions' inability to build legitimacy based on good governance and representative politics.

Ending the division between Palestinian factions has consistently topped the do-

mestic priorities of the Palestinian public. The June 2014 Palestinian "government of national consensus" is the latest in a string of failed reconciliation initiatives. Reconciliation is complicated by both the ongoing struggle between the Muslim Brotherhood and key Arab governments, particularly Egypt, and the "Quartet conditions" which would automatically isolate any government in which Hamas takes part. Internal factors, including the sets of vested interests that Hamas and Fatah have developed in their respective areas of control and tensions within Fatah itself between its national leadership and its Gaza base, further complicate reconciliation.

A unity government is only one—and the easiest—component of Palestinian national reconciliation. Previous reconciliation attempts have failed to find satisfactory solutions for the wide gap in ideology between the two sides. A proposed "leadership framework," which will have an advisory capacity to the PLO without actually being part of the organization, will deal with the immediate challenge posed by the two parties' irreconcilable ideology. But as long as this question remains unresolved, the ideological gap will consistently pose challenges to decision-making and unity.

Even if problems relating to ideology, vested interests, and other considerations could be resolved, Hamas's unwillingness to disband its military wing makes any political reconciliation inherently unstable. The high degree of decisionmak-

ing autonomy Hamas's military wing enjoys means it will always have the option to exert its independence vis-à-vis Hamas's political leadership, to directly pressure the PA in cases of political stalemate, or to reignite a conflict with Israel to completely reshuffle the deck.

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Given these considerations, national disunity is likely to continue. The continued division has harmed the political credibility of both Hamas and Fatah. Opinion polls show a steadily growing number of Palestinians believing that the two parties favor narrow partisan interests over national ones. This comes on top of already shaky

credibility of both groups due to systemic repression of political dissent and the corruption and bad governance that have marred their rule in their respective territories.

Bad Governance

In the West Bank, governance reforms instituted under former Prime Minister Salam Fayyad have gradually eroded. President Mahmoud Abbas stifles criticism of him or his policies not only when it originates from Hamas but also from Fatah members or independents. Abbas's term expired in 2009, and no potential successors have emerged. Fatah suffers from internal factional tensions and has been unable to hold internal elections originally scheduled for 2014.

Hamas's credibility in Gaza has not fared much better. Hamas initially was successful when it blamed economic hardships on the Israeli blockade and the isolation resulting from the Quartet's conditions. But that effort was unsustainable. Corruption and bad governance, brutal responses to any dissent, three devastating wars with Israel, and regional isolation due to Hamas's deep affiliation with the Muslim Brotherhood have undermined its legitimacy and credibility. Hamas also cannot claim to be representative on the basis of its victory in the 2006 legislative election, because the Palestinian Legislative Council's term expired in 2010.

In both the West Bank and Gaza, prospects for parliamentary or presidential elections are slim. As a result, the Palestinians have no avenues for rejuvenating their political structures. While Hamas's control over Gaza and Fatah's over the West Bank are not in immediate danger, the trend of diminishing legitimacy weakens Palestinian political and governing institutions and creates fragility and volatility.

PA Collapse?

This confluence of diplomatic and domestic crises has a profound impact on the Palestinian leadership. For the national-secular leadership, namely the PA and the PLO, this manifests itself in a narrowing margin of maneuverability when it comes to decisionmaking and in overall heightened fragility.

Due to its credibility deficit among the Palestinians, the Palestinian leadership is ill-equipped to make major decisions that are unpopular. This immediately precludes its ability to make the necessary concessions to reach a peace deal. Instead, it will be under constant pressure to make decisions that placate the public. The most obvious are symbolic moves such as the ones taken in the United Nations and other international organizations. Parallel to that, the PA will be under constant pressure to stop unpopular policies, most notably security cooperation with Israel. Severing security cooperation with Israel will have grave repercussions. Accordingly, senior Palestinian decision-makers are not eager to take such a step. However, following the decisions by vari-

ous PLO bodies to that effect, pressure will only build on the PA. Absent political strength to withstand such pressure, a moment could come when the PA will have to stop security cooperation.

The erosion of the PA's legitimacy, along with the increasingly crisis-laden confrontational trajectory its relations with Israel seem to be following, creates fragility when it comes to the PA's very future. The current situation is characterized by internal West Bank tensions. On the one hand are significant Palestinian, Israeli, and international interests invested in the PA's survival. On the other is a Palestinian public that increasingly sees the PA as irrelevant beyond its role in paying salaries. While this points to the likelihood of continued PA survival, it is increasingly ill-equipped to handle severe crises such as prolonged inability to pay salaries or a leadership vacuum. Collapse would not only affect the PA, but also Fatah and the PLO, both of which are so thoroughly identified with the PA that their survival in case of the latter's collapse is far from certain.

While Hamas is faring slightly better, it would struggle to pick up the pieces after a PA or PLO collapse. Its failed governance of Gaza has significantly eroded its credibility among Palestinians. It is seen to share the blame equally with Fatah for the lack of unity. It is also beset with ongoing internal tensions. In the foreseeable future, the regional dynamics are extremely hostile to Hamas on a number of levels. Even if the PA collapses in the West Bank, Hamas would be unlikely to fill the vacu-

um due to Israeli security activities and Jordan's lack of interest in seeing a Hamas stronghold on its immediate borders.

IMPLICATIONS FOR ISRAEL

For Israel, the status quo raises a number of questions. Most fundamentally, the question is whether Israel can maintain its Jewish and democratic nature without a two-state solution. Demographers on opposing sides of the debate hotly contest trends, data, and analysis in defense of their positions. In political terms, however, this question has become the center of the debate about the two-state solution, invoked not only by Israeli commentators but also by world leaders.

If Israel's current trajectory continues, Europe will intensify recent policies, including votes at the United Nations, aimed at challenging Israeli diplomacy and imposing a cost on Israel's settlement policy.

The continuation of the status quo raises the risk of isolation for Israel. This isolation stems from three factors. The first relates to relations with the Palestinians. There is the perception, which varies among world capitals, that Israel is fully or partially responsible for the failure to reach a two-state solution as a result of its negotiation positions, behavior, and ongoing policies such as settlement activity. The second relates

to nuclear negotiations with Iran. Israel's positions and rhetoric, while in keeping with sentiment in many regional capitals, is at odds with the approach of both the United States and Europe. Third, statements by senior Israeli officials, including Prime Minister Netanyahu, regarding Israel's Arab minority do not correspond to many Western nations' concept of democratic values.

If Israel's current trajectory continues, Europe will intensify recent policies, including votes at the United Nations, aimed at challenging Israeli diplomacy and imposing a cost on Israel's settlement policy. The December 2014 French effort to draft a UNSC resolution laying out parameters of a permanent status agreement is an example of such measures.

Tensions have also surfaced with the United States. While both the United States and Israel take pains to stress that these tensions do not touch the fundamentals of their relationship, continued tensions are bound to harm Israel. The political tensions and divergent policies regarding the conflict have brought into question the United States' willingness to continue automatically shielding Israel in the United Nations and other international arenas.

Without credible progress toward ending the occupation, the PA's ability to resist public pressure will diminish.

While in the short term the challenges to Israel's international relations do not threaten the fundamentals of its ties with longstanding allies in Europe and the United States, these challenges can usher in a new dynamic that would have a long-term impact on Israel's interests. It must be noted, however, that shifts in Israel's international relations are a response not only to Israeli policies but also to political changes in key world capitals.

More immediately, the continuation of the status quo raises a number of security threats for Israel. The situation in Gaza remains volatile. The pattern of cyclical eruption of conflict will likely continue without a fundamental change in relations with the Palestinians.

While violence in the West Bank has so far been prevented, the situation remains

fragile. Key Palestinian institutions and leaders question the PA's commitment to security cooperation with Israel. Even if elites' commitment remains, a frustrated Palestinian public has increasingly criticized security cooperation. Without credible progress toward ending the occupation, the PA's ability to resist public pressure will diminish. This increased tension creates volatility. Unpredictable and therefore unmanageable incidents could trigger new explosions of violence. In an extreme scenario, these developments could trigger the collapse of the PA, creating a political and security vacuum that is likely to draw Israel back more intensively into the West Bank.

REGIONAL AND INTERNATIONAL IMPLICATIONS

For the regional and international order, the continuation of the conflict is a constant source of strain. The bulk of the disruption from recent eruptions of violence, whether the second intifada or the three wars in Gaza, has been largely contained within the Israeli-Palestinian arena. But the continuation of the conflict demands constant management and expenditure of resources.

The conflict will continue to demand diplomatic engagement. The Palestinian approach to the UNSC in late 2014 after the collapse of the U.S.-led negotiations effort is an example of this dynamic. Valuable

diplomatic time and capital were spent in managing the process, distracting from other regional priorities, and inevitably creating tensions among various members of the UNSC. Additionally, as long as the conflict continues, the prospect of integrating Israel into the region—an outcome that is desired by both Israel and many Arab governments—is minimal. The burden is often higher on regional players, particularly Egypt and Jordan. The conflict's potential to mobilize Arab publics, while recently diminished, can never be fully discounted because of the issue's symbolic resonance.

Finally, the conflict adds another set of unpredictable variables to an already complex region. In the worst-case scenario, collapse of the PA could have far-reaching regional implications.

OPTIONS

Despite the risks inherent in an unstable Israeli-Palestinian front, there are few obvious options for moving forward.

Negotiations, which in the past could have introduced a measure of stability, are not a viable option for the foreseeable future. After successive failures, negotiations as a tool for ending the conflict have lost public credibility. Israelis and Palestinians both will be skeptical of renewed negotiations. Indeed, Palestinians will view them with hostility. Backchannel negotiations, which would avoid some of the political complexities of public negotiations, will still have to contend with lack of trust among Palestinian leaders, significant substantive gaps on the most sensitive issues, and a region and a world that are too preoccupied elsewhere.

The UN-focused strategy upon which the Palestinians have embarked has inherent limitations. Any measures that require action by the UNSC or the full UN membership must win the support of at least 9 of the Council's 15 members. It must also be acceptable to the United States, which has the power to veto UNSC resolutions. In response to statements made by Prime Minister Netanyahu in his 2015 reelection campaign, the United States even signaled willingness to depart from its traditional automatic veto in support of Israel. This however is unlikely to extend to allowing the admission of Palestine to the United Nations as a full member. If indeed there is a change to UNSC voting patterns, it will likely be in relation to resolutions concerning settlements.

The Palestinians might choose to force a U.S. veto. Such a decision would not only add strain on U.S.-Palestinian relations, but it would also disturb delicate U.S.-Arab cooperation regarding myriad regional issues. Such a scenario is not favored by

the United States or key Arab partners, who will likely try to dissuade the Palestinians from such a showdown. The Palestinians have an almost automatic majority in the United Nations General Assembly (UNGA), but the powers of the UNGA are limited, and arguably were exhausted when Palestine attained the status of non-member observer state at the United Nations in 2011.

The United States may opt to announce its own parameters for the contours of a permanent Israeli-Palestinian peace deal, either unilaterally or through its own UNSC resolution. Proponents of this approach argue that such parameters could politically reignite debate within the Palestinian and Israeli societies about peace. It also could be a diplomatic stroke to bring clarity to the concept of a two-state solution and renewed energy to international and regional efforts. Such an approach, however, requires the United States to rally sufficient international support for the substance of such parameters before they are announced. This will be a complicated process given the sensitivity of some of the issues at stake, including the fate of Jerusalem and Palestinian refugees and the issue of the Jewish nature of Israel. Realistic parameters that garner the requisite international support—including the essential support of Arab and Muslim nations—would be extremely difficult to draft. Additionally, there is little appetite in the region to expend political capital in support of a controversial U.S. initiative. There is great anxiety among traditional U.S. allies in the Arab world

about the United States' negotiations with Iran and other regional issues. Without allaying these fears, it will be difficult for the United States to put together the requisite regional alliance.

The United States will need to make it clear to the Israelis and Palestinians—both of whom have grown used to ignoring the United States without much cost—that outright rejection of these ideas would trigger meaningful consequences. Failure to communicate this clearly and credibly could produce a stillborn initiative that would further diminish U.S. standing in the region. Rather than enshrining the parameters of a two-state solution, a failed effort might push the parties and their supporters toward adopting even more uncompromising public postures and in doing so further erode the beleaguered two-state solution.

Absent immediate realistic options for a conflict-ending initiative, there are some steps that can be taken on the ground to deescalate. Measures such as regular transfers of tax revenues collected by Israel on behalf of the PA, increased Palestinian access to construction and economic activities in Area "C," and other economic measures can be undertaken, especially if there is a concerted international push. These measures are no replacement for a political solution and cannot in themselves resolve the conflict. They can, however, temporarily release some of the tension on the ground and deescalate for a time until more auspicious diplomatic and political circumstances are in place.

Regardless of movement on the diplomatic track, action can also be taken to resume the reform efforts in the PA. In addition to the prospect of better services for the Palestinian public, dealing with issues of PA corruption, inefficiency, and bad governance can bring about an increased measure of legitimacy and stability to the institution.

CONCLUSION

Israeli-Palestinian dynamics are at one of their worst phases in recent memory. Bilateral issues, internal factors in both polities, a complex regional reality, and challenges facing U.S. policy and leadership dim the prospect of a conflict-ending, two-state solution. These factors have unleashed a pattern of rapidly intensifying political and diplomatic confrontations, and the situation on the ground is deteriorating. These trends can have negative implications for the Palestinians and Israelis and can have ripple effects in the region and beyond. Until a meaningful resumption of the peace process becomes possible, steps can be taken to manage the conflict. But even such measures cannot eliminate the potential for a strategic shift in prevailing dynamics which undermines the regional and global consensus that has promoted a negotiated settlement for more than three decades—a shift that could be disastrously destabilizing for the Israelis, the Palestinians, and the region. ■

About the Authors

JON B. ALTERMAN is a senior vice president, holds the Zbigniew Brzezinski Chair in Global Security and Geostrategy, and is director of the Middle East Program at CSIS. Prior to joining CSIS in 2002, he served as a member of the Policy Planning Staff at the U.S. Department of State and as a special assistant to the assistant secretary of state for Near Eastern affairs. He is a member of the Chief of Naval Operations Executive Panel and served as an expert adviser to the Iraq Study Group (also known as the Baker-Hamilton Commission). In addition to his policy work, he teaches Middle Eastern studies at the Johns Hopkins School of Advanced International Studies. Before entering government, he was a scholar at the U.S. Institute of Peace and at the Washington Institute for Near East Policy. He received his Ph.D. in history from Harvard University.

CAROLYN BARNETT is a research fellow with the Middle East Program at CSIS. Her primary research interests are in the politics, economics, and society of North Africa and the Gulf states. She also supports the Middle East Program's projects related to changing relations between Asia and the Middle East. Prior to joining CSIS, Barnett earned an M.Sc. in Middle East politics and an M.A. in Islamic studies from the School of Oriental and African Studies in London, where she studied as a Marshall scholar. She also spent a year as a graduate fellow in the Center for Arabic Study Abroad program at the American University in Cairo on a Fulbright scholarship. Barnett holds a B.S.F.S. from the School of Foreign Service at Georgetown University and is a former editor-in-chief of the Georgetown Journal of International Affairs.

STEPHEN D. BIDDLE is professor of political science and international affairs at George Washington University (GWU). He is also adjunct senior fellow at the Council on Foreign Relations where he was previously the Roger Hertog Senior Fellow for Defense Policy. He has served on the Defense Policy Board, on General David Petraeus's Joint Strategic Assessment Team in Baghdad in 2007, on General Stanley McChrystal's Initial Strategic Assessment Team in Kabul in 2009, and as a senior advisor to General Petraeus's Central Command Assessment Team in Washington in 2008-2009. Biddle has lectured and written extensively on national security policy, military strategy, and technology in modern warfare, including the award winning book *Military Power: Explaining Victory and Defeat in Modern Battle* (Princeton University Press, 2004). He earned his Ph.D. in public policy from Harvard University.

FARIDEH FARHI is affiliate graduate faculty at the University of Hawaii at Manoa. She has taught comparative politics at the University of Colorado, Boulder, University of Hawaii, University of Tehran, and Shahid Beheshti University, Tehran. Her publications include *States and Urban-Based Revolutions in Iran and Nicaragua* (University of Illinois Press) and numerous articles and book chapters on comparative analyses of revolutions and Iranian politics and foreign policy. She has been a public policy scholar at the Woodrow Wilson International Center for Scholars and consultant to the World Bank and the International Crisis Group.

HAIM MALKA is a senior fellow and deputy director of the Middle East Program at CSIS, where he oversees the program's work on the Maghreb. His principal areas of research include religious radicalization, government strategies to combat extremism, violent non-state actors, and North African politics and security. He also covers political Islam and the Arab-Israeli conflict. Before joining CSIS in 2005, he was a research analyst at the Saban Center for Middle East Policy at the Brookings Institution, where he concentrated on U.S. Middle East foreign policy. Malka spent six years living in Jerusalem, where he worked as a television news producer. He is the coauthor of *Arab Reform and Foreign Aid: Lessons from Morocco* (CSIS, 2006) and the author of *Crossroads: The Future of the U.S.-Israel Strategic Partnership* (CSIS, 2011). He holds a B.A. from the University of Washington in Seattle and an M.A. from Columbia University's School of International and Public Affairs.

JOHN MCLAUGHLIN served as deputy director of the Central Intelligence Agency from 2000-2004 and acting director from July-September 2004. He is now distinguished practitioner-in-residence at the Philip Merrill Center for Strategic Studies at the Johns Hopkins School of Advanced International Studies (SAIS), where he teaches and writes on a wide variety of foreign affairs topics. He is also a nonresident senior fellow in the Center for 21st Century Security and Intelligence at the Brookings Institution. He serves on the Central Intelligence Agency's external advisory board. He led a review of counterterrorism "lessons learned" in 2010 at the request of the director of National Intelligence. He has previously held the positions of deputy director for intelligence, vice chairman for estimates, and acting chairman of the National Intelligence Council. He founded the Sherman Kent School for Intelligence Analysis, an institution dedicated to teaching the history, mission, and essential skills of the analytic profession to new CIA employees. He serves on the Board of Trustees at the Noblis Corporation and is a member of the Council on Foreign Relations and the American Academy of Diplomacy. He holds an M.A. in international relations from SAIS.

GHAITH AL-OMARI is a senior fellow at The Washington Institute for Near East Policy and the former executive director of the American Task Force on Palestine. Previously, he served in various positions within the Palestinian Authority, including as advisor to former Prime Minister Mahmoud Abbas and as director of the international relations department in

the Office of the President. He also served as an advisor to the Palestinian negotiating team throughout the permanent status negotiations with Israel from 1999 to 2001. After the breakdown of the peace talks, he was the lead Palestinian drafter of the Geneva Initiative, an unofficial model peace agreement negotiated between leading Palestinian and Israeli public figures. Omari is a lawyer by training and a graduate of Georgetown and Oxford Universities.

ROGER OWEN is the A.J. Meyer Professor of Middle East History, Emeritus at Harvard University and was previously the director of the university's Center for Middle Eastern Studies. Prior to teaching at Harvard, he was a faculty member at Oxford University, where he served several times as the director of the Saint Antony's College Middle East Centre. His books include *Cotton and the Egyptian Economy, 1820-1914* (1969), *The Middle East in the World Economy, 1800-1914* (1981), *State, Power and Politics in the Making of the Modern Middle East* (1992), *Lord Cromer: Victorian Imperialist, Edwardian Proconsul* (2004) and, with Sevket Pamuk, *A History of the Middle East Economies in the Twentieth Century* (1999).

PAUL SALEM is vice president for policy and research at The Middle East Institute (MEI). He focuses on issues of political change, democratic transition, and conflict, with a regional emphasis on the countries of the Levant and Egypt. Salem writes regularly in the Arab and Western press and has been published in numerous journals and newspapers. Prior to joining MEI, Salem was the founding director of the Carnegie Middle East Center in Beirut, Lebanon from 2006-2013. From 1999 to 2006, he was director of the Fares Foundation and in 1989 founded and directed the Lebanese Center for Policy Studies, Lebanon's leading public policy think tank.