

An Assessment of John Kerry's Two-State Resurrection Endeavor

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There may not be a conflict-ending, two-state solution any time soon, or perhaps ever. But if there is one, John Kerry's six principles will serve as its basis. Kerry's six principles are an imperfect, underwhelming reaffirmation of well-established international consensus regarding a two-state solution. But just like Clinton's parameters of 2000, Kerry's principles can outlive their natural political lifespan. And herein lies the importance of understanding his vision: how it links to past U.S. positions, how it compares with the most advanced knowledge on Israeli-Palestinian final status, and what service it holds for future peacemaking efforts. This policy paper provides an assessment of the Kerry parameters for Israeli-Palestinian peace.

John Kerry's frustration with the current Israeli leadership was evident in his [December 28, 2016, speech](#) on the Israeli-Palestinian conflict. An emotionally-invested outgoing secretary of state worked his way through a lengthy presentation that felt at times like a sermon and at others like a requiem. He articulated American interests, positions, and expectations with clarity. His 'state of the two-states' analysis was borderline flawless. And he masterfully threaded "the distinction between support for Israel's security and legitimacy on the one hand, and opposition to Israel's settlements and occupation on the other, and a refusal to conflate those two things," as Matthew Duss, President of the Foundation for Middle East Peace, recently [wrote](#).

The context of the speech is worth recalling: over the past year, and especially since the electoral victory of Donald Trump, U.S. President Barack Obama has been busy laying out policy, political, and ideological markers — some real, some symbolic — enshrining his legacy to the extent he can. (See examples for his efforts on [climate change](#), [the economy](#), [the criminal justice system and clemency](#), and [geopolitical relations with Russia](#)).

Obama set out to tackle the Israeli-Palestinian conflict on day one, when he appointed George Mitchell, the former senator who oversaw Northern Ireland peace negotiations in the late 1990s, as his special peacemaking envoy. Eight years later, having made no progress on peace and done little to slow the advance of settlements, Obama figured to confront the threats to the two-state solution one more time, in word and in deed. As for deed, Obama chose to end his tenure by abstaining from a U.N. Security Council resolution ([2334](#)) condemning Israeli settlement activity — a not-unusual diplomatic blow that nonetheless

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pushed Netanyahu's most sensitive buttons, triggering [a hysterical reaction](#). As for words, Kerry's speech — 9,500 words plus some change, no less — was, [according](#) to Dan Kurtzer, the former American ambassador to Israel, "the most substantive, comprehensive statement of U.S. policy in the 50 years since the 1967 Arab-Israel war."

Since its delivery, there has been no shortage of political analyses from right, left, and center, both east and west of the Atlantic. But it is the six principles that Kerry offered as guidelines for future final status negotiations that can stand as the Obama Administration's rather flaky legacy of Israeli-Palestinian peacemaking.

In reality, most of the 25-year-old peace process was dedicated to agendas skeptical, and sometime outright hostile, to a conflict-ending agreement, in the form of lengthy interim processes (notably the original Oslo accords and later the [Quartet's Roadmap](#)) and unilateralism (Sharon's 2005 Gaza disengagement).

But the sense that peace was within reach in 2000 led non-officials to embark on what proved to be a decade-long investigation of what a two-state solution actually looks like. From the short-form [Ayalon-Nusseibeh statement of principles](#), to [Kurtzer's version of the parameters](#), to the exhaustive [Geneva Initiative](#) and its [annexes](#) — interested professionals filled conference rooms and getaways in pursuit of the magic formula that would serve as the next breakthrough toward an agreement.

A body of work emerged, and today we know in fine resolution the spectrum of solutions available to decision-makers as they approach the thorniest of issues: the essence of the two states as the answer for the national self determination of the Jewish and Palestinian people, the trajectory of permanent borders between Israel and Palestine, the status of Jerusalem, the plight of Palestinian refugees, and the security arrangements that will guarantee Israel's security and Palestinian sovereignty.

Since the 1991 Madrid conference that marked the launch of the peace process, the U.S. has remained conspicuously silent about how, exactly, the core issues are to be resolved. Mainly, it saw its role as dominating a political dance that aimed at getting Israelis and Palestinians to the negotiating table. There, they thought, somehow, and despite an obvious power disparity that the Americans did little to address, direct talks between the sides would produce an agreement.

The main exception to this American reticence was a set of ideas presented by Clinton in December 2000, which became known as the [Clinton Parameters](#), and which served as the guiding document — in spirit, if not in detail — for all subsequent efforts to bring about an end to the conflict, including the 2008 negotiations between PLO Chairman Mahmoud Abbas and Israel's Ehud Olmert, and the hapless 2013-2014 Abbas-Netanyahu negotiations that Kerry himself oversaw. For their part, George W. Bush and Obama also added substantive, if incomplete, comments on the core issues — the former did so primarily in his [April 2004 exchange of letters](#) with Sharon, and the latter in his [May 2011 speech](#) on the middle east and his subsequent [commentary to AIPAC](#).

There may not be a conflict-ending, two-state solution any time soon, or perhaps ever. But if there is one, Kerry's six principles will serve as its basis. To be sure, there is absolutely nothing new about what Kerry outlined. At most, it is a flawed summary of a well-established international consensus regarding a two-state solution. But just like Clinton's ideas, Kerry's principles can outlive their natural political lifespan. And herein lies the importance of

understanding his vision: how it links to past U.S. positions, how it compares with the most advanced knowledge on Israeli-Palestinian final status, and what service it holds for future peacemaking efforts.

Kerry's Six Principles

Two of Kerry's six principles are recent additions to final status discussions, relatively-speaking. Neither appeared in the original Oslo agreement. The first is Principle 2, dealing with the nature of the two-state solution, "one Jewish and one Arab, with mutual recognition and full equal rights for all their respective citizens," based on U.N. General Assembly Resolution 181 of 1947.

Fundamentally, as Israeli negotiator Tal Becker [notes](#), Israelis seek "no more and no less than public recognition of the right of the Jewish people to self-determination in a state of their own." The hostile rejection of such claim by Palestinians¹ and Arabs, despite historical support of Jewish sovereignty by the international community, elevated the claim in Israeli eyes beyond a matter of identity and into the realm of national security. Undoubtedly, Netanyahu's apprehensiveness toward Palestinian statehood has elevated the controversiality of the claim, reversing historical manifestations of recognition in the Palestinian [1988 declaration of independence](#) and in a 2004 [inetrview](#) Arafat gave to *Haaretz*.

For his part, Kerry reaffirmed America's historical recognition of Israel's Jewish character and placed it in a relevant, conflict-ending context, coupling such recognition with recognition of Palestinian statehood entitlement, all while addressing minority rights.

The second is Principle 6, dealing with ending the conflict and all outstanding claims in the context of the Arab Peace Initiative. This is a rather uncontroversial point that attempts to place the compromises outlined elsewhere in their most favorable context. Notably, ending claims is the real, operative point in terms of international relations; ending the conflict is seen more as a motto for galvanizing public support.

Some Israelis viewed a regional process with Arab countries as a way to bypass the Palestinian question, but it is by now clear that the two are coupled. Peace with the Palestinians will bring Israel peace with the Arab world, but there will be no significant overt movement on the regional track absent progress on the Palestinian one. In this regard, it is worth recalling that the Arab states are well suited to provide political cover for compromises Palestinians are ready to make, as was the case with the [adoption of the land swap concept](#) during the 2013-14 negotiations. But they are ill-suited to push the Palestinians toward compromises they are unwilling to make, a lesson that should be internalized for future peacemaking efforts.

Kerry's other four principles are quoted below and discussed in greater detail. Their order was changed for fluidity.

¹ As Becker notes, Palestinians view this claim as unnecessary, as a threat to non-Jewish minority rights, as contradictory to Israel's democratic character, and as preempting refugee negotiations. Tal Becker, [The Claim for Recognition of Israel as a Jewish State — A Reassessment](#), The Washington Institute for Near East Policy, February 2011.

Borders (Principle 1)

“Provide for secure and recognized international borders between Israel and a viable and contiguous Palestine, negotiated based on the 1967 lines with mutually agreed equivalent swaps.

Resolution 242, which has been enshrined in international law for 50 years, provides for the withdrawal of Israel from territories it occupied in 1967 in return for peace with its neighbors and secure and recognized borders. It has long been accepted by both sides, and it remains the basis for an agreement today.

The Arab League has previously agreed, following the Secretary's engagement, that the reference in the Arab Peace Initiative to 1967 lines now includes the concept of land swaps, which the Palestinians have acknowledged. This is necessary to reflect practical realities on the ground, and mutually agreed equivalent swaps will ensure that the agreement is fair to both sides.

There is also broad recognition of Israel's need to ensure that the borders are secure and defensible, and that the territory of Palestine is viable and contiguous. There is also a clear consensus that no changes by Israel to the 1967 lines will be recognized by the international community unless agreed to by both sides.”

Of all core issues, the U.S. felt at relative ease to comment on borders between Israel and the Palestine. First, Americans viewed borders as a 'practical' issue, unlike the sensitive symbolism of Jerusalem and refugees. Second, the closely-related issue of Israel's settlement enterprise has proved to be a constant headache for American officials even in the interim. Third, the border issue was and is viewed, wrongly, as relatively easy to resolve. And finally, this issue is the only one of the four that is absolutely necessary for the creation of two states.

The American position regarding Israeli-Palestinian borders has remained relatively consistent. Contrast in tone and nuance reflect political context rather than substantive differences.

The U.S. views the 1967 lines as the basis for a permanent border. Bush referred to these as the 'armistice lines of 1949,' thinking that use of 'armistice lines' lowered the high symbolic value attributed by the Palestinians, and the world, to the 1967 lines. Practically, the difference between the 1949 and 1967 lines is marginal.² Kerry, for his part, reaffirmed this pillar of U.S. diplomacy.

Three American presidents (Clinton, Bush and Obama) accepted Israel's position that large settlement blocs — a handful of settlements that house the majority of the roughly 600,000 Israelis that reside east of the 1967 lines — represented a major development that mandates changes to the 1967 lines. In practice, land swaps serve as a bridging mechanism between the Palestinian demand that the entirety of the West Bank and Gaza will become the Palestinian state, and the Israeli wish to minimize to the extent possible the number of

² Ambiguities regarding the exact demarcation of the 1949 armistice lines in certain areas were resolved by Israel and Jordan in a process called the 'Generals Agreements' between 1949 and 1951. Theoretically, the original 1949 line differs in a few places from the lines that existed on the ground prior to the Six Day War, on June 4, 1967. However, it is doubtful whether Bush's advisors were aware of these subtle nuances. In general, these minor differences do not strategically alter the nature of the baseline.

settlers left beyond its sovereign borders. Kerry has also reaffirmed this, although using code language: "realities on the ground."

With regard to land swaps, American presidents were inconsistent in their views. While Clinton, driven by his pro-Israel chief negotiator Dennis Ross, talked about an unequal land-swap ratio favorable to Israel (4-6 percent of Israeli annexation in the West Bank in return for 1-3 percent of land transferred Palestine from Israel-proper), Bush and Obama talked about 'agreed' swaps. (On this point, it is worth mentioning that the Palestinians have consistently demanded land swaps equal in size and quality). Nevertheless, both did not say 'equal' swaps, leaving Israelis with the impression that unequal swaps were acceptable.

Kerry, in an attempt to align U.S. policy with political gravity and with EU policy, used the term 'equivalent' land swaps. Undoubtedly, equivalent is not far from equal, but it is not necessarily the same. Drafters of 'equivalent' may have meant 'equal', but by failing to explicitly use the latter, they leave Israeli ears with the sense that swaps can be generally corresponding, but not necessarily equal, in amount. In opting for 'equivalent,' Kerry came close, but has not really captured, what has become a *sine qua non* of the many territory/borders non-official efforts.

Kerry also reaffirmed a longstanding U.S. view that the Palestinian state must be contiguous and viable, ruling out permanent Israeli control of the envelope of the Palestinian state, control in the heart of the West Bank, or dismembering the latter into internal cantons connected by roads and interchanges.

Earlier parts of Kerry's speech outlined two important points. The first clarifies what most Israelis — including those on the left and center — find hard to reconcile: that while ultimately some settlements will stay under Israeli sovereignty, America opposes all settlement construction in the interim. This is because defining the 'blocs' to be annexed by Israel has largely been a solely Israeli exercise, at times accompanied by sympathetic Americans, but never involving Palestinians. The result is usually a delineation of 'blocs' so intrusive into the West Bank that it defies any applicability of international recognition.

The second point Kerry made deals with untangling Israel's settlement expansion from Israeli security. As evident in the [analysis](#) of hundreds of former Israeli generals and security officials, the majority of settlements are a burden on Israeli security, as they are located on isolated hilltops surrounded by potentially hostile and dense Palestinian population centers. It is their existence, rather than the opposite, that is a security burden.

Jerusalem (Principle 4)

“Provide an agreed resolution for Jerusalem as the internationally recognized capital of the two states, and protect and assure freedom of access to the holy sites consistent with the established status quo.

Now, Jerusalem is the most sensitive issue for both sides, and the solution will have to meet the needs not only of the parties, but of all three monotheistic faiths. That is why the holy sites that are sacred to billions of people around the world must be protected and remain accessible and the established status quo maintained. Most acknowledge that Jerusalem should not be divided again like it was in 1967, and we believe that. At the same time, there is broad recognition that there will be no peace

agreement without reconciling the basic aspirations of both sides to have capitals there.”

Jerusalem has been a major source of dispute and cause of failure in past peacemaking efforts. Since the Clinton Parameters, the U.S. has not expressed its vision regarding the status of Jerusalem; Obama decided not to mention the city in his 2011 speech. Mainly the product of political over-cautiousness, this also reflected the tendency to mix the secular with the holy. In reality, the urban area of East Jerusalem — the area Israel occupied in 1967 together with the rest of the West Bank — is a patchwork of residential districts of mostly homogeneous populations (Israeli Jews and Palestinian Arabs are highly segregated in the city). This urban city lends itself quite nicely to the land swap scenario stipulated above, in the sense that large Jewish settlement-neighborhoods are mostly (although not always) contiguous with its pre-1967, western, and mostly Jewish part of the city. Most of East Jerusalem's settlement-neighborhoods and their 200,000 residents, even Palestinians concede, will be annexed to Israel with land compensation provided elsewhere. It is the Old City and its close surroundings — home to hundreds of holy and historic sites, and the fantastic image of believers worldwide — that require more delicate treatment. But the holy Jerusalem is minute in geographical terms — around 2-3 square kilometers, depending on how you delineate it. You could walk it in one afternoon.

Of all of Kerry's principles, the Jerusalem one lacks the insights that underpins his otherwise valid message. Kerry's inconsistent use of singular (capital) and plural (capitals) in his reference to Jerusalem puzzles astute observers. There is a significant difference between one city with Israeli and Palestinian presence in it, and two cities residing back-to-back. Most notably, Kerry fails to reaffirm what Jerusalem expert Danny Seidemann calls the 'Clintonian' vision: it is demographics that will determine the baseline border in Jerusalem — Jewish settlement-neighborhoods of East Jerusalem will join the Jewish dominated western part under Israeli sovereignty, and the Palestinian areas of East Jerusalem will come under Palestinian sovereignty. The respective states will then determine the exact boundaries of their capitals — two capitals, plural, residing back-to back.

More amazingly, Kerry's comments against a division of the city leaves many two-state practitioners baffled. Echoing the spirit of the 2000 negotiations, an 'open city' model overlooks the harsh reality of the second intifada. The majority of Israeli negotiators insist that the border regime in Jerusalem adhere to the rest of the Israeli-Palestinian interface. Put simply: the barrier that Israel will naturally build along its recognized border with the state of Palestine will be rendered useless if a miles-long opening is left in it for the sake of an 'open' Jerusalem. Luckily, there are various ways to avoid a Berlin-like wall in the city; the primary example is the 'burying' of the border in the urban makeup of Jerusalem, as manifested by the [work](#) of the architectural firm SAYA as part of the Geneva Initiative annexes. But all this insight, which Kerry's staff has been briefed upon thoroughly, was left on the editing room floor.

As for the Old City and the Historic Basin surrounding it, Kerry's silence on the very nature of the solution to Jerusalem's Old City is perplexing. By not mentioning the division of sovereignty there (like Clinton), the introduction of special arrangements to deal with holy sites (like Geneva), or the creation of an overarching unified special regime (like Kurtzer and Olmert) — Kerry did not re-establish what Seidemann calls “the goal posts on what is and what is not a two-state solution in Jerusalem's Old City.”

Undoubtedly, Kerry's focus on freedom of access is consistent with two-states orthodoxy. His emphasis on consistency with the established status quo is timely; along with settlement expansion, Netanyahu's acquiescence to his hardcore political base includes continued challenges to the established status quo on the Holy Esplanade, and specifically overt Jewish prayer there. Still, one is left to wonder if Kerry's understandable reference to the established status quo in the conflict-riddled interim undercuts a potentially game-changing achievement in the context of final status: that if and once Palestinians are the true sovereigns on the Haram-A-Sharif/Temple Mount, they will allocate prayer rights for Jews there.

Refugees (Principle 3)

“Provide for a just, agreed, fair, and realistic solution to the Palestinian refugee issue, with international assistance, that includes compensation, options and assistance in finding permanent homes, acknowledgment of suffering, and other measures necessary for a comprehensive resolution consistent with two states for two peoples.

As part of a comprehensive resolution, the Palestinian refugees must be provided with compensation, their suffering must be acknowledged, and there will need to be options and assistance in finding permanent homes. The international community can provide significant support and assistance, including in raising money to help ensure the compensation and other needs of the refugees are met, and many have expressed a willingness to contribute to that effort. But there is a general recognition that the solution must be consistent with two states for two peoples, and cannot affect the fundamental character of Israel.”

Like the Jerusalem section, Obama chose to leave the refugees issue unattended his May 2011 speech; he deemed it too sensitive. And it is this sensitivity that historically yielded lengthy (usually the lengthiest) refugee sections of draft language by those who did address the manner (Clinton, Geneva, and Kurtzer, for example). Kerry constrained himself textually and like most such attempts tried to find a balance between Israel's desire to retain the Jewish majority that underpins its Jewish and democratic character, and the Palestinian need to bring a sense of justice to, or at least acquire the reluctant consent of, the roughly five million refugees.

In the words of a [2014 report by the International Crisis Group](#), “for Palestinian leaders to do anything that smacks of abandoning refugees, and especially of renouncing their claims, is to cross a redline that touches at the core of national identity.” And since Israel's practical needs are also to be met, to one extent or another four components need to be addressed: responsibility for the creation of the refugee issue; recognition of refugee rights, and primarily a right to return to homes and properties in what today is Israel proper; options for citizenship and permanent place of residency, predominantly for refugees who are in countries with burning ‘push’ factor such as Lebanon and, most timely, Syria; and compensation for suffering, for lost assets, and to countries that have hosted refugees for seven decades.

Regarding responsibility, Kerry reaffirmed Clinton's formula that the acknowledgment will be of refugees' suffering rather than for the creation of the refugee problem. His use of the word ‘*Naqba*’ (catastrophe in Arabic) earlier in the speech was a touching gesture from a high American official, but was noticeably a mere recognition of how Palestinians themselves

describe their history, rather than a third party trying to address a narrative gap that Israel is unlikely to confront.

Unlike Bush, Kerry did not explicitly negate return of refugees to Israel.³ Unlike Clinton, Kerry did not attempt to find a formula that explicitly deals with the right of return. Importantly, he noted that the solution cannot alter Israeli demographics and should be consistent with the two-states for two peoples solution. But this unconcealed recognition of Israeli needs could have been used to introduce innovative thinking on the matter of symbolic, rather than mass, return. Some, such as author/analyst Nathan Thrall, [suggested](#) recognizing a right to return for original refugees who were born before 1948. Such a scheme would address refugee rights in an unprecedented manner. It would also limit the number of returnees — tens of thousands — to what Israel could realistically absorb, especially as it is predicted to let go of 300,000 East Jerusalem's Palestinians which Israel currently counts as part of the 1.8 million Israeli Arabs. So although such a scheme will ultimately *increase* the share of Jews in Israel compared to the present day, an over-cautious Kerry chose not to deploy it. Nor did he recall Clinton's options for ultimate residency: Israel, areas in Israel proper that would be transferred to Palestine in the context of swaps, the state of Palestine, current host countries, or willing third countries.

Kerry's language also does not mention U.N. General Assembly Resolution 194,⁴ which is a cornerstone of Palestinians refugee claims and a reference to which appears in the Clinton Parameters, in the Arab Peace Initiative, and in other texts such as the Geneva Initiative and Kurtzer's. In the past, Israel insisted that the refugee section of the final status agreement will be recognized as officially fulfilling the refugee clause of 194. But the general hardening of narratives regarding national identity and relations with the enemy resulted in Israeli paranoia regarding *any* mentioning of 194, even one that serves its highest of interests. It is unfortunate that Kerry followed suit.

Security (Principle 5)

“Satisfy Israel’s security needs and bring a full end to the occupation, while ensuring that Israel can defend itself effectively and that Palestine can provide security for its people in a sovereign and non-militarized state.

Security is the fundamental issue for Israel. Everyone understands that no Israeli Government can ever accept an agreement that does not satisfy its security needs or risks creating an enduring security threat like Gaza in the West Bank. Israel must be able to defend itself effectively, including against terrorism and other regional threats. There is a real willingness by Egypt, Jordan, and others to work together with Israel on meeting key security challenges. The U.S. believes that those collective

³ “The United States is strongly committed to Israel's security and well-being as a Jewish state. It seems clear that an agreed, just, fair and realistic framework for a solution to the Palestinian refugee issue as part of any final status agreement will need to be found *through the establishment of a Palestinian state, and the settling of Palestinian refugees there, rather than in Israel.*” See: [“Exchange of letters between PM Sharon and President Bush,”](#) April 14, 2004.

⁴ Paragraph 11 of Resolution 194 states: “Resolves that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;” See: [“Resolution 194 \(III\) Palestine -- Progress Report of the United Nations Mediator,”](#) December 11, 1948.

efforts, including close coordination on border security, intelligence-sharing, and joint operations, can play a critical role in securing the peace.

Fully ending the occupation is the fundamental issue for the Palestinians: They need to know that the military occupation will really end after an agreed transitional process, and that they can live in freedom and dignity in a sovereign state while providing security for their population even without a military of their own. This is widely accepted as well.”

As on the issue of borders, U.S. officials have historically expressed themselves quite freely on security. In addition to viewing themselves as the supreme authority on the matter, Americans have relied on the longstanding U.S. commitment to Israel's security, including maintaining the latter's qualitative edge vis-à-vis its neighbors, as they tackled what is perceived to be a soluble practical issue.

For reasons both political and ideological, Obama and his administration complemented a clumsy push for Palestinian statehood with unprecedented security support for Israel. During the 2013-2014 negotiations, Kerry believed that addressing Israel's security needs up front will buy him good will on other core issues, only to be reminded that in this region leaders do not reciprocate; rather, they warmly accept what is given, and proceed to demand more. Be that as it may, recognition of Israel's security needs is an American creed.

Kerry's ideas are less detailed, generally consistent, but not quite identical in interesting ways with those of his predecessors. Primarily, the Palestinian state will be *de facto* demilitarized, and it will handle internal law and order as well as border security. Israel's right and ability to defend itself is understandably recognized, as is the notion of a transition period for Israeli redeployment. However, Kerry dropped Obama's 2011 reference to Israel's ability to defend itself 'by itself,' which is an important omission with important implications. Rather, Kerry stressed the contribution of regional cooperation to Israel's security. Unlike Clinton and Obama, but consistent with the work of General James Jones in 2008, Kerry grounded his vision of security in interests that Israel shares with Jordan and Egypt and in the new regional architecture envisioned by the Arab Peace Initiative.

Cognizant of the Palestinian need to envision the day when they will have full sovereignty over the entire Palestinian state, Kerry leaned heavily on the experience of General Allen's team in 2013-14, which focused on [multi-layering Israel's monitoring capabilities](#), negating the need for long term presence of boots on the ground on Palestinian soil.

Obscurely absent from Kerry's comments are references to third-party involvement in security arrangements and to a specific timeline for Israel's redeployment. In Kerry's vision, the Palestinian fear that the interim will be the permanent remains unaddressed. And although the issue of demonstrated Palestinian security performance as key to progress is left unmentioned, the Israeli demand that it — and only it — will judge Palestinian performance remains unchallenged.

Conclusion

To those invested in promoting a two-state solution, Kerry's collection of final status orthodoxy is underwhelming. Especially since he represents an administration weeks from leaving office, and especially since the political blowback has been generally pre-determined

— Kerry could have set out to move the goal posts: to establish that land swaps will be equal in full; that there will be two capitals in Jerusalem — Yerushalayim and al-Quds — reflecting national homogeneity with special arrangements or a special regime in the Old City and its surroundings; and that refugee claims can be addressed quite explicitly, rather than neglected, in a manner consistent with Israeli needs. Kerry chose not to. Perhaps this calculation represents his true assessment of final status. But if it is merely a reflection of unfamiliarity with advanced thinking on the matter, then this truly was an opportunity missed.

Still, a clear vision of the endgame is a necessary element for movement toward a two-state solution, and in this regard Kerry's vision is apt. Whether one still believes that the only way forward is direct negotiations between the sides, or whether the distrust between Israelis and Palestinians leads one to develop a new paradigm for moving forward — an accepted vision of the endgame is a necessary entry point.

Kerry's principles may dissipate as he leaves his seventh floor office at the state department sometime around January 20, 2017. But they do not have to. Key Arab states responded positively to Kerry's speech. So did European allies. The prospects of a Trump-Netanyahu one-two punch should motivate those concerned with the well being of Israelis and Palestinians to ground them in international fora. Another U.N. Security Council resolution seems improbable; highlighting the illegality of settlements is one thing, but expressing views on final status, their ambiguity notwithstanding, is seen as a bridge too far for many diplomats. This, despite the fact that such parameters will increase by orders of magnitude the likelihood of success of the exact negotiations they fear to prejudge. Perhaps future peace efforts or a revitalized international architecture that supports it can step in and breathe life in what otherwise might become an obituary for the two-state solution.