

History will judge Biden harshly on Gaza

di Chris Van Hollen

Chris Van Hollen, a Democrat, represents Maryland in the U.S. Senate.

Nothing will haunt President Joe Biden's foreign policy legacy as much as his failed policies in the Middle East. His ineffective approach, coupled with Donald Trump's election, now sets the stage for an unprecedented deterioration in our efforts to secure a two-state solution and address the root causes of the Israeli-Palestinian conflict.

The president has a chance to correct some of the mistakes he has made both before and during the [war in Gaza](#), but only if he acts quickly and decisively.

During his 2020 campaign, Biden pledged to return America to a values-based foreign policy that emphasized the right of self-determination for all people, including the pursuit of a Palestinian state alongside the state of Israel, affording equal measures of security and dignity for both peoples. He also committed to reopening the U.S. Consulate in Jerusalem for Palestinians, which had been shuttered by the Trump administration. And he vowed to take a stand against the expansion of illegal Israeli settlements that create greater instability and undermine prospects for a two-state solution.

But once in office, President Biden failed to take any meaningful action to implement these pledges, even as Prime Minister Benjamin Netanyahu formed the farthest-right government in Israel's history and handed significant powers to extremists such as Finance Minister Bezalel Smotrich and Minister of National Security Itamar Ben Gvir. Indeed, the Biden administration proclaimed that the Middle East was "[quieter than it has been for decades](#)" even as the Israeli-Palestinian conflict reached a boiling point and then exploded with the horrific Hamas attack on Israel on Oct. 7, 2023.

And though the president was right to travel to Israel to embrace its people in such a dark hour — and right to affirm Israel's clear right to defend itself and end the military

threat of Hamas — he has failed to effectively exercise American leadership to achieve his own stated goals: ending the war, securing the release of the hostages, and implementing his “day after” plan to create a path toward sustainable peace in the region.

Time and again, the Netanyahu government has ignored President Biden’s calls — including those for increased humanitarian assistance for starving Palestinian civilians, stronger precautions to mitigate civilian casualties, a cessation of illegal settlement activities on the West Bank, a meaningful commitment to reach a cease-fire and the return of the hostages, and a plan for the “day after.” It is in this pattern of repeated brush-offs from Netanyahu — coupled with the continued Biden blank check of bombs and other offensive weapons — that we see the president’s failure to use our leverage to ensure that our taxpayer dollars are being used in line with our interests and values. Now, with President-elect Trump coming back into office, the Netanyahu government will be further emboldened to achieve its messianic vision of a “Greater Israel,” denying the Palestinian people access to their land and closing the door to a two-state solution. We’ve already seen Netanyahu announce [the appointment of Yechiel Leiter](#) — an avowed proponent of West Bank annexation and a former member of Rabbi Meir Kahane’s Jewish Defense League, deemed a terrorist organization by the FBI — as the next Israeli ambassador to the United States. What’s more, Smotrich [recently declared](#) that Trump’s presidency presents an “important opportunity” to “apply Israeli sovereignty to the settlements in Judea and Samara.”

President Biden has a limited amount of time to take action. But even at this late hour, it is critical that he do so — even at the risk that President-elect Trump will reverse course. The United States must send a strong signal to the people of Israel, to Palestinians and to the world that we will not stand idly by as the extremist Netanyahu government dismantles the possibility of peace in the Middle East and ignores the root causes of conflict: the need for security and self-determination for both Israelis and Palestinians.

To send this signal, President Biden should immediately impose sanctions on the ultraright members of the Netanyahu government who have fomented violence and supported expanded settlements on the West Bank, including Smotrich and Ben Gvir.

The United States must draw a red line against further settlements, not just in words but in deeds.

It's also time to acknowledge that the Netanyahu government has violated its assurances under [National Security Memorandum 20](#) and that it is not in compliance with the [Humanitarian Aid Corridor Act](#) (Section 620I of the Foreign Assistance Act). As documented by leading human rights organizations, the Netanyahu government has arbitrarily restricted desperately needed humanitarian aid to civilians in Gaza and has used American weapons in contravention of international humanitarian law. These determinations should trigger a pause in U.S. offensive security assistance — a consequence the Netanyahu government must face until it comes into compliance.

In addition to these actions, the administration should ban the import of any goods from settlements in the occupied territories or, at the very least, take the long-overdue step of reinstating the labeling policy that differentiates products made there from those made in the state of Israel. And it must continue to show its support for UNRWA — and encourage our allies to support its efforts — especially in light of the Knesset's recent vote to ban the organization.

Last, but perhaps most important, the Biden administration should recognize a state of Palestine, subject to terms set out by the United States. Those terms should include an end to the Palestinian Authority's [“prisoner payments” system](#). All this should be able to proceed almost immediately, since the PA has already drafted legislation that complies with U.S. [law prohibiting](#) direct support to the PA as long as the prisoner payment system is in place. This action would be a significant step toward realizing a two-state solution and set an example for other nations to follow our lead.

For too long, President Biden has been unwilling to uphold our values and enforce our interests in the Middle East. And without taking a stand, the United States is fated to remain mired in this conflict for generations to come. But in these last days, there remains an opportunity to make some course corrections. I urge the president to do so at once.