

Position Paper

Palestinian Reconciliation: Authority Arrangements and Limits for the PLO

Al Jazeera Centre for Studies

12 March 2012



The possibilities for the completion of the stages of the Palestinian reconciliation, as contained in the Doha Declaration, which Fatah and Hamas reached under the auspices of Qatar, are still uncertain. This is due to the broad terms of the agreed upon points of this Declaration on the major controversial issues, the mutual trust-crisis between the two sides, the impact of external pressures brought to thwart the Declaration, and the objection of broad sectors within the two organizations to the Declaration. It is likely that the Doha Declaration will meet the same end as previous consensuses reached by Fatah and Hamas, which did not pass the test implementation, such as the Mecca agreement signed in February of 2007, and the Cairo Agreement signed in March of 2011.

The PLO Dilemma

The first article in the Doha Declaration deals with the future of the PLO. It was written in broad terms, giving each party the ability interpret it so as to serve their own interests and objectives. It affirms the need to continue "[...] activating and developing the Palestinian Liberation Organization through the reformation of the Palestinian National Council simultaneously with the presidential and legislative elections." Obviously, this is a retreat from the articles concerning the PLO as composed in the March 2011 Cairo Agreement, which clearly state that elections are to be held so as to select members of the Palestinian National Council. While Hamas has argued for these elections for the National Council to be held amongst Palestinian Diasporas, Fatah asserts that conducting these elections is unrealistic, given that the countries hosting the Palestinians will not allow for such elections to be held. Yet the main obstacle that has prevented agreement on the specific mechanism for the formation of the new National Council, which is supposed put forth the outline of the general policies that the PLO will be committed to, is the fear of radically changing the balance of power within the Council. The Fatah movement does not appear to be supportive of holding elections for the National Council, because the Fatah leadership fears that, if conducted, the results of the elections will not be in their favor, especially compared to previous elections. Fatah may actually be hoping that the governments of the countries where most of the Palestinian refugees live will refuse to hold such elections on their territory (as was explicitly announced by the Jordanian government) since such decline would overshadow Fatah's refusal to hold elections for the National Council, preventing Fatah's refusal from being revealed.

Obviously, excluding elections as a mechanism for selection of members of the new National Council entails the creation of conditions for continuing with the political agenda on which the PLO has been based since the signing of the Oslo agreement in 1993. This agenda limits the Palestinian options of negotiation and delegitimizes other options, especially the option of armed resistance against the occupation. President Abbas seems to prefer the formula contained in the Cairo Agreement and reaffirmed by the Doha Declaration, entailing the formation of a provisional interim leadership framework for the PLO comprised of Secretaries General of the Palestinian factions, in addition to independent Palestinian figures, as well as members of the Executive Committee of the PLO. With regards to his stance on this framework, Abbas enjoys the support of most members since the composition of this framework and the nature of the political representation therein does not accurately reflect the balance of power in the Palestinian arena. Although the Cairo Agreement and the Doha Declaration provided that this framework would be temporary until the formation of the new National Council, it seems that such a Council will not be formed any time soon. The current framework will remain the only frame that ensures the merely symbolic participation of the Palestinian factions in Palestinian policy-making since this frame is to be held periodically and only at the behest of Abbas while the deliberations therein are considered non-binding consultations.

A Government Waiting for Consensus

The second article of the Doha Declaration provides for the formation of a "national consensus government" led by Abbas although all the indications show that a consensus is not applicable. Disputes have cropped up between the two movements on the

framework within which this government will be formed. Hamas demands that the government be formed in the framework of a comprehensive package deal, which includes an end to the chapter of political detention, the request that the Ramallah government end its policy of preventing citizens in the Gaza Strip from obtaining passports under the pretext of their relationship with Hamas, and ending the security cooperation between the PA and Israel. At the same time, the Doha Declaration has revealed the internal differences within Hamas to the public; some of the movement's leaders criticized Khaled Meshal, the head of Hamas' political bureau, publicly, accusing him of rushing to agree on the declaration and approving that Abbas will have both the PA presidency and the presidency of the government.

The dispute between the two groups concerning the government is not limited to these points. There was also disagreement on the circumstances of the formation of the government. Hamas demanded that the new government has to achieve a vote of confidence from the new Legislative Council. This demand is strongly rejected by the Fatah movement, as Fatah fears it would increase the legitimacy of the House of Representatives for restoring its legislative and supervisory role. This would mean that all the decrees issued by Abbas after the outbreak of the division that were not presented to the House of Representatives, would be put to the vote again.

Reconciliation: Incentives and Constraints

It is evident that, even more than four years after the Palestinian internal division outbreak, the constraints of the Palestinian reconciliation are still overcoming its incentives despite internal developments and regional transformations, which contributed to the reduction of the margins for maneuver for both sides, and embarrassed the parties domestically. The main constraints to reconciliation can be summarized as follows:

The Israeli Veto

Israeli Prime Minister Benjamin Netanyahu stuck to his traditional stance on reconciliation in the wake of the Doha Declaration, asserting the Israeli logic that a party which can make peace with Hamas cannot be a negotiation partner of Tel Aviv. His stance left Abbas with two options: negotiations with Israel or reconciliation with Hamas

Israel is vouching for the continuation of the internal Palestinian division because it provides a greater margin for maneuver when it comes to confronting the Palestinian people. With regards to dealing with Hamas, which has been categorized by Israel as a "terrorist" movement, Tel Aviv believes it has the right to use military force in an exaggerated and unbalanced manner. And, in confronting Abbas, who is clinging to the option of negotiations, Israel claims that it cannot enter into serious agreements with him because he only represents half of the Palestinians, at best. During the recent meetings of the General Assembly of the United Nations, Israel and the U.S. were able to convince a number of other countries to adopt this same attitude towards Abbas.

Israel not only takes political stances, it also employs a number of tools which, so far, indicate its ability to deter the PA leadership from proceeding with the option of internal reconciliation until the end. Israel combines economic sanctions, such as ceasing to transfer tax revenues (levied for the benefit of the Authority) to the Treasury of the Ramallah Government, with personal sanctions, such as imposing restrictions on the freedom of movement for senior Authority leaders, including Abbas. In light of the Israeli rejection, no reconciliation agreement could be applied in the West Bank since no legislative and presidential elections could be conducted without the approval of Israel, who's Army, invades cities, villages and towns of the West Bank on a daily basis.

The Quartet Restrictions

The Quartet, which, besides the U.S., includes the European Union, Russia and the United Nations, conservatively welcomes the Doha Declaration, stressing its own

conditions that any Palestinian government has to be committed to the recognition of Israel, the agreements signed on terrorism, and the rejection of "terrorism" in reference to the Palestinian armed struggle against the occupation. Both the Cairo Agreement and the Doha Declaration were based on the Egyptian Reconciliation Document, which did not mention these conditions posed by The Quartet. However, this will not prevent The Quartet from taking punitive action (including re-evaluation of financial support for the Authority institutions) against any government that is not committed to these conditions. The Quartet's stance has already resulted in a severe dispute between Fatah and Hamas; where Fatah asserted that the government of national consensus would be committed to The Quartet conditions, while Hamas uttered that the government will be committed only to what is stated in the Egyptian Document.

Internal Calculations

Internal calculations by both Fatah and Hamas played an important role in reducing the chances of achieving a consensus that would terminate the current division between the two sides.

1. Fatah Movement: the last two years saw a number of changes that were thought to convince the Fatah leadership to make a strategic decision in order to achieve national reconciliation. The rise of the Israeli right-wing to power was a major challenge to Abbas and his political program. It was clear that the Netanyahu government attaches great importance to the settlement project in the West Bank and to the Judaization of Jerusalem. At the same time, it set impossible conditions for the PA, including the recognition of the 'Jewishness' of Israel, which entails the deliberate abolition of the right of return for refugees. This development coincided with the collapse of the regime of President Mubarak, who was considered to be Abbas's most important ally of and the bitterest opponent of Hamas in the regional arena. Yet these changes were not enough to convince Abbas to abandon the option of negotiations with Israel and of betting on the relationship with the United States. The PA leadership remained unenthusiastic about seizing the opportunity to change the rules of the game with Israel, including the survival of the PA itself. At the same time, there are many parties within the PA whose interests are linked to continuation of the division, as well as the relationship with Israel. Thus, they insist on the Authority's commitment to maintain the pace of security cooperation with Israel, even at the height of the attacks launched by Israel and the Israeli settlers against Palestinian citizens in the West Bank.

2. Hamas Movement: Although Hamas believes that the democratization revolutions will benefit the movement in the long run, the movement's leadership abroad, in particular, realizes that these revolutions are a challenge for Hamas in the foreseeable future since they limit the ability to maneuver in the regional arena. The Damascus-based Hamas leadership may be forced to take a clear stance on the Syrian Revolution, taking into account that the public masses of Hamas support these revolutions without reservation. The Hamas leadership has, so far, stuck to an indecisive stance on the Syrian regime and the rebels. However, this situation may not be acceptable for its Iranian allies, considering that Iran is the largest funder of the Gaza government. The leadership abroad has realized that this reality requires an urgent end to the internal division so as to diminish the restrictions imposed by Iranian support. Thus, Meshal agreed on reconciliation and expressed his acceptance of Abbas taking over as the head of the government. This decision was not met with consensus amongst the leadership movement; disagreement flared especially in the Gaza Strip.

Consensus

The trend that is currently shaping the Palestinian scene is that both Fatah and Hamas are seeking internal consensus induced by regional changes after the Arab revolutions. However, this consensus is linked to the balance of power in the Arab world, which currently tends to support the option of negotiating with Israel. This will put a ceiling to the Palestinian forces' political consensus, reducing the viability of the option of

resistance. An agreement and understanding on sharing power remains at the basis of the necessary consensus on a unified strategy to be adopted by the PLO.

Al Jazeera Centre for Studies

Copyright © 2012, Al Jazeera Centre for Studies, All rights reserved.

