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Deepening Palestinian Divisions in the Shadow of a Possible Renewal of the Peace Process

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In the year since the halting of the Israeli-Palestinian dialogue (the “Annapolis Process”), the change of governments in the US and Israel, and Israel’s “Operation Cast Lead” in Gaza, internal divisions within the Palestinian camp have further deepened. The Palestinian Authority and Hamas have each managed, relatively, to consolidate their control over their respective areas, the West Bank and Gaza Strip, politically and in the security realm. How is the hardening of Palestinian divisions likely to influence the Israeli-Palestinian political process, which is showing signs of revival?

Constitutionally-speaking, Mahmud Abbas’s term as President of the PA and the Legislative Council is coming to an end this month, and new elections are supposed to be held for both the presidency and the Council in the West Bank and Gaza. Up until this point, however, Egypt’s efforts to achieve a national reconciliation between Hamas and Fatah, a sine qua non for choosing a new, and legitimate leadership through the electoral process,

have failed. To avoid creating a legal vacuum, and thus delegitimizing Abbas's standing, the PLO leadership has taken decisions which legally enable the PA's rule to continue until at least mid-2010, and probably beyond, until elections are in fact held.

Meanwhile, Abbas (Abu Mazen) and Prime Minister Salam Fayyad have adopted a political strategy that carries the potential of breaking the Palestinian political deadlock. Their approach is two-pronged, with each running parallel to, and reinforcing the other:

1. Prioritizing the renewal of negotiations with Israel, in order to reach a permanent settlement and establish a Palestinian state on the 1967 borders; if this fails to bear fruit, they intend to ask the United Nations to recognize those borders as the legitimate boundaries of the future Palestinian state.
2. Constructing the actual Palestinian state, its governing institutions and its economic, societal, cultural and security foundations, so that the Palestinian state will be, by the middle of 2011, a de facto state.

This strategy is based on an understanding that the respective Israeli and Palestinian positions regarding a permanent-status agreement have drawn closer, but in the absence of effective outside pressure on Israel, its right-of-center government will be in no rush to take decisions regarding the removal of settlements or other major permanent-status questions. The actions now being taken by Abu Mazen and Fayyad appear to be more sophisticated and effective than previously: no more threats to issue a unilateral declaration of independence or engage in a renewed violent confrontation with Israel are being made; their intent, rather, is to engage in a political struggle in the international arena, and organize popular non-violent protest in Palestinian society, along with practical state-building measures. In addition, the Palestinian leadership is emphasizing to Israel that the price of failure to

achieve an agreement will be the emergence of a fanatical Islamic entity in the West Bank, as has happened in Gaza.

The PA leadership duo intends to maintain the PA's security-related cooperation with Israel, thus proving that the Palestinian side is fulfilling its obligations according to the US-brokered 2003 "Road Map for Peace." By achieving a relative degree of order and economic progress in the West Bank, Abu Mazen and Fayyad are creating a situation designed to cut the ground out from under Israel's long-standing insistence that no viable Palestinian partner for security and political cooperation exists, and that the PA is not ready to receive full control over significant swaths of territory.

Abu Mazen is determined to reach a comprehensive agreement with Israel, and is opposed to partial agreements or the creation of a state with temporary borders. Israel, in his view, must not be allowed to avoid facing up to the true price that it will be asked to pay for a two-state solution. He insists that it is possible to complete negotiations within a number of months, while acknowledging that the actual implementation of an agreement will take place in stages, and over a period of a few years. However, if the Israeli government refuses to freeze settlement construction and renew negotiations on the basis of the "Road Map" from the point at which it last stopped (i.e., that reached during the quiet talks with the Olmert government), the Palestinians are likely to take actions on their own, namely build their state in practice, and achieve international recognition of the borders of their future state.

As for Hamas's leadership, it prefers to maintain its hold over the Gaza Strip and reject the international Quartet's conditions (recognition of previous Israel-Palestinian agreements, which include acknowledgement of Israel's right to exist, and cessation of violence) for accepting it as a legitimate

interlocutor. Hence, Hamas is in no hurry to sign a reconciliation document and participate in elections, notwithstanding the fact that this posture is likely to deepen its political isolation and prevent it from lifting the closure on Gaza. Hamas failed to win Arab and international recognition of its rule there, despite its efforts to present a more nuanced approach to the conflict with Israel. Moreover, Egypt has now decided to further strengthen the closure by building an underground steel barrier along its border with the Strip. It is against this background that Hamas holds “resistance” (*al-muqawwama*) activities in check, in order to preserve its achievements and maintain its rule over the area. It expects to generate support from a prisoner-exchange deal with Israel, and prove to the Palestinian public that “resistance” can bring meaningful gains, while Abu Mazen’s political path leads nowhere.

The Hamas leadership is currently focusing its energy on rebuilding its military forces after last year’s Israeli military operation. It has further centralized its control over Gaza, and thanks to Iran’s economic and military assistance has strengthened its regular forces, rebuilt its rocket-launching arm and equipped itself with longer-range (75 km.) Fajr missiles. Its aim is two-fold: to develop the ability to withstand an anticipated Israeli military offensive, and to attain a degree of deterrence against it. Attaining deterrence, Hamas believes, will enable it to stabilize its domination of the Strip over the long-run, even without an agreement with Israel.

Parallel to the military realm, the Hamas leadership emphasizes the religious character of its ruling institutions, and is gradually strengthening the religious coloring of daily life in society. In fact, Hamas legislators recently discussed the adoption of Shari`a-based punishment laws, such as cutting off the hands of thieves.

It is against this background that Israel faces the question of how to prevent the establishment of a de facto state in the West Bank and a radical Islamic entity in the Gaza Strip. Based on the statements by Prime Minister Binyamin Netanyahu, it seems that significant progress in a renewed peace process will ensure that the final result of negotiations will be the establishment of Palestinian state. Such progress will both require and enable the gradual end of the current separation between the West Bank and Gaza, while demonstrating the political and economic advantages that the PA's approach has over Hamas's. It will strengthen the PA's legitimacy in the eyes of its public and help it rebuff the suspicion that it is doing Israel's bidding. The Hamas regime in Gaza, on the other hand, will be seen by the Palestinian public and the international community as preventing progress in ending the conflict, something which may well confer legitimacy on an Israeli military strike against it, should this become unavoidable.

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