

To Palestine, via 'Mecca' and 'Beirut'

Mark B. Taylor

Deputy Managing Director, Fafo Institute, in Oslo.

Rising tensions in the region make international constructive engagement urgent. The Mecca agreement and the re-affirmation of the Arab League's Beirut peace initiative are emblematic of the fact that the region's conflicts are interconnected like never before. For the US and Europe, a regional and comprehensive approach may become unavoidable. Yet, any attempt to re-start a peace process will have to confront the challenge of state-building in Palestine with Hamas as a partner, or as a potential spoiler. Is there any strategy to engage Hamas? Is Hamas capable of compromise?

The newly appointed Palestinian Finance Minister, Salam Fayyad, pronounced himself satisfied in April (11.04.06) after his meetings with European donors in Brussels. Fayyad delivered a message to the European Union (EU) of institutional degradation resulting from the international boycott, and of dire humanitarian consequences if it is not lifted. The fact that Fayyad was able to deliver his message in person was, for a Palestinian government, an improvement after a year of sanctions.

For its part, the official response from the EU to the newly formed unity government of the Palestinian Authority was cool, conditioning aid on progress by the Hamas-led government towards meeting the conditions laid down by the Quartet. The Palestinian cabinet is hoping that various EU countries will re-establish partial bilateral economic and political relations even as those countries continue to repeat the U.S.-EU mantra of the Quartet conditions. In this they may be right: Norway, a non-EU member, has established full relations and several EU governments have said they will deal with the new government in some form or another.ⁱ

Yet, the U.S. and EU positions amount to continued diplomatic inertia. This despite the fact that, by most measures, the US-led boycott has been a resounding failure. Hamas has not met international demands to recognise Israel, has not accepted fully past agreements between Israel and the Palestinian Liberation Organisation (PLO), nor has it renounced violence. The movement has not imploded in the process of trying to meet these conditions. Perhaps more to the point, the democratically elected Hamas government did not fall, nor did its rival, Fatah, replace it. In fact, rather than reverse the results of the January 2006 elections that brought Hamas to power, or force Hamas into a crisis over some 'deep existential dilemma'ⁱⁱ, the sanctions have helped Hamas consolidate its electoral gains.

In this, the sanctions played a key role in deepening the political crisis in Palestine. The boycott limited resources and encouraged Hamas to govern primarily for the benefit of its own cadres. While there is bitterness among many Palestinians about the partisan way in which Hamas has shared the little spoils it has had access to, the sanctions have not undermined the level of support for Hamas – it has remained stable, second only to Fatah in Palestinian public opinion.ⁱⁱⁱ Rather, the institutions of the Palestinian Authority (PA) have been undermined. If before the PA was viewed as corrupt, now it is viewed as corrupt and increasingly irrelevant.

Diplomacy Revisited

The significance of this for any international strategy for dealing with the Israeli-Palestinian conflict should not be underestimated. Since Oslo, that strategy has been based primarily on state-building in Palestine as the basis for a two-state solution. The problem for the U.S. and its allies is that the election of Hamas in January 2006 presented international diplomacy with its own existential dilemma: how to continue economic support to Palestine when anti-terrorism laws prohibit providing such support to a listed organisation like Hamas? This was a particularly difficult problem, since economic assistance to the Palestinian state-building project was all that was left of an already moribund peace strategy, embodied in the stalled 'Road Map for Peace'.

The obvious answer for the neo-conservatives in charge of U.S. Middle East policy was to impose a political and economic boycott on the Hamas government and demand that the problem – Hamas – solve itself. Not unlike its previous attitude to Yassir Arafat, the Bush Administration in effect pursued a policy of regime change, with a strategy that involved walking away from a moribund peace process and taking their allies in the Quartet with them.

The effect of international disengagement and sanctions was to polarise Palestinian politics. Yet, for much of 2006, fears of civil war between Fatah and Hamas were constrained by two principle realities: first, a clear opposition of Palestinian popular opinion to internal violence, which meant that going to war was a military gamble with huge political risks for both sides. Second, the balance of military power was unclear. In the aftermath of the 2006 elections, both Fatah and Hamas were experiencing internal turmoil and were unsure as to which faction would prevail in an all out fight. But in late 2006 and early 2007, the Fatah-Hamas violence began to escalate, in part because both sides were feeling stronger after months of reorganisation and re-armament. The power struggle came to a head in the weeks prior to the Saudi mediation at Mecca.

The Saudi Arabia initiative brought the two sides back from the brink. The unity government established at Mecca was precisely what Palestinians had been demanding for years.^{iv} There is still the very real possibility of civil war between Fatah and Hamas, but the power-sharing arrangements agreed at Mecca have real legitimacy amongst Palestinians and as such offer a way out of the political crisis in Palestine.

This crisis must be managed carefully if the Palestinians are to avoid a descent into serious fighting in the short term and move out of the crisis to more stable politics in the long term. A decisive factor in this process will be how the international actors engage with the Palestinian political transition.^v The Saudi initiative sought to fill the gap left by a long history of Bush Administration disengagement from peace diplomacy in the region. In so doing, the Saudis have made clear to the U.S. that Arab support for its priorities in the region – Iraq, Iran – comes with a price-tag attached: it will be difficult to get Arab backing for U.S. policy without U.S. support for Arab proposals towards a solution to the region's conflicts, in particular in Palestine.

In addition, to Saudi Arabia's role in mediating between the Palestinians at Mecca, its sponsorship of the Arab Peace Initiative, has momentarily shifted diplomacy to focus on a regional and comprehensive approach.^{vi} Launched at the Arab League Summit in Beirut in 2002 the Arab initiative calls for an end to occupation and a solution to such issues as Palestine refugees and Jerusalem, as the basis for peace and normalisation with Israel.^{vii} The Mecca agreement and the Beirut initiative are emblematic of the fact that the region's conflicts are linked today like never before, a fact which makes those conflicts an even greater source of regional instability, and a regional approach all the more urgent.

The two initiatives are obviously complimentary. But, in Palestine, any attempt to restart a peace process will have to confront the challenge of state-building with Hamas as a partner, either as a participant in government or as a potential spoiler. Is there a strategy to engage Hamas? Is Hamas capable of compromise?

Engaging Hamas

Since the 1993 Oslo accords, Hamas has been the principle Palestinian opponent to the peace process. However, the historical record makes clear that compromise is entirely possible. Hamas emerged in the late 1980s from the Muslim brotherhood, on the political margins of Palestinian society. They set down roots under occupation, and grew steadily stronger through their resistance to Israeli repression during both Intifadas. Hamas evolved from its origins in conservative Islamism into a nationalist and Islamist resistance movement. Its opposition to Israeli occupation is based on its nationalism, something it shares with the PLO. But its primary ideological objective is an Islamic state in a liberated Palestine, and its principle ideological opposition has always been to the PLO as an expression of secularism. In practice, this has pitted it against the largest, most popular faction of the PLO, Fatah. Hamas derives legitimacy from its ongoing war with Israel, and it is capable of terrible violence. But its fight with Israel often proves secondary to its objective of an Islamic state in Palestine.

This is made obvious in Hamas' repeated attempts to consolidate its position in Palestine by compromising on its fight with Israel.^{viii} Perhaps, the most comprehensive attempt to do this occurred in early 1995. Arafat had returned from exile six months earlier and had confronted Hamas with armed Fatah cadres on the streets of Gaza. Hamas, far weaker than it is today, quickly sued for peace. In negotiations led by the PA Chief of Police, and Palestinian Army General, Nasr Yusif, Hamas agreed to stop attacks against Israel if the PA would promulgate a new law enabling the establishment of political parties and if Arafat would guarantee that his security services would not target Hamas political, education and social service networks. A text was agreed.^{ix} Arafat refused to honour it, preferring to exclude and, ultimately, repress Hamas.

Arafat's repression of Hamas in the 1990s was driven largely by his own need to consolidate power. But once he had consolidated his position, the repression was sustained by the logic of a peace process that made progress conditional upon him providing security to Israel.^x This structure, at the heart of Oslo – a peace process predicated on a counter-insurgency of sorts by the PA against Hamas –, was fodder for a marginal group like Hamas. Hamas terrorist attacks could be described as acts of resistance against continued Israeli occupation, while they also served the Hamas domestic agenda of undermining Arafat with his Israeli and international partners, as well as with his own people. Hamas attacks against Israelis resulted in immediate Israeli reprisals, coupled with pressure on Arafat to 'do something' about Hamas. Arafat's actions against Hamas, coupled with his inaction in response to Israeli strikes, simply reinforced the perception amongst Palestinians that Arafat was allied with Israel and that Hamas was the 'true' resistance. In short, in terms of popular support Israeli reprisals strengthened Hamas and weakened Arafat. After 2002, when Israel placed Arafat under siege, Arafat's apparent faith in the peace process made him look powerless. The Hamas strategy was complete.

The Hamas combination of nationalism, resistance and Islamism means it is perfectly suited to the situation of continued occupation during a stalled peace process led by secular nationalists. The situation has provided Hamas with an ideal context in which to grow, by maintaining a distance from the failures of the state building project that started with Oslo; failures which, in the Palestinian political consciousness, contain the corruption of the Palestinian Authority as much as they include the continued

dispossession and repression of Israeli occupation. Yet, the popularity of Hamas remains limited – perhaps a core of approximately one quarter to one third of Palestinian public opinion.^{xi}

Hamas is not the strongest player on the field and, because it is politically pragmatic, Hamas is capable of compromise, both with Fatah and with Israel. During its year in government, and despite being targeted by sanctions and its members arrested by Israel, Hamas has imposed restraint on its members, maintained a partial cease-fire, while at the same time floating a number of trial political balloons. Over the past year its spokespeople have proposed acceptance of agreements between the PLO and Israel, suggesting an implied recognition of Israel, or called for a long terms cease-fire, or hudna. None of these have been taken up by Israel or its allies, and some of them were immediately contradicted by other Hamas spokesmen. But the agreements that emerged from Mecca included a tacit recognition of Israel and a re-statement of Hamas' desire to pursue membership in a reformed PLO.^{xii} As one international diplomat put it, 'Hamas has moved farther in one year than the PLO did in a decade' on the issue of recognition of Israel.

And Hamas is not going away. Hamas does not have majority support of the Palestinian public. But it is strong enough not to make concessions under direct threat. In the context of a peace process, violent repression of the movement – whether by Israel, Fatah or both – provides Hamas with a real incentive to take up the mantle of violent resistance. The experience of Oslo and the subsequent Intifada have shown that, while both broad strategies of peace and counter-insurgency can deliver temporary defeats to Hamas, the political exclusion embedded in them ultimately strengthens Hamas in the long run, and the radicals in their ranks particularly so.

The Hamas rationale for the violence had very clear and political roots: exclusion from the internal political process which underpins the building of a Palestinian state. The programme of the present national unity government is a manifestation of popular Palestinian desire to end the marginalisation of Hamas. But there is no telling how long Fatah will tolerate the present arrangement for. A reversion to internecine fighting is all too possible, and there is every reason to believe it will result in a targeting of Israelis by militant groups.

Not only is it possible to engage Hamas, the sustainability of any peace process will depend upon an engagement with Palestinian politics based on a strategy which seeks to include Hamas in the state building project. The obvious way to do that is to insist that Palestinian democracy includes not just Hamas, but all those factions that have resisted occupation with violence. The tension at the heart of the Fatah-Hamas struggle lies in the limbo state in which the Palestinians find themselves, somewhere between statehood and resistance to occupation. The strategy underlying a future peace process must consolidate the fragile peace between Fatah and Hamas by consolidating Palestinian democracy as the basis for self-determination. Those who frame the coming peace process with Israel must recognise that self-determination in Palestine is a necessary pre-condition for peace with Israel, and that the inclusion of Hamas in democratic politics in Palestine is a necessary condition for a viable peace with Israel. Any peace process which ignores that fact will fail.

With few exceptions,^{xiii} the international actors seeking to manage the conflict in Israel-Palestine have yet to draw the conclusions from the failed policies of the Bush Administration. The EU, for one, is notoriously slow in delivering on pledges of aid, under the best of circumstances. Post-Mecca, the absence of clear political consensus on a change in EU policy will mean that aid is unlikely to flow quickly from Brussels. Political will in Brussels will not be helped by the fact that Israel and the U.S. are unlikely to

engage in any significant way with the Palestinian unity government for some time, if at all. But Europe should recognise that a national unity government in Palestine is the basis for it to move forward with the kind of 'low politics' it has championed in the past.^{xiv} Europe's evident distaste for regime change is an opportunity to pursue the necessary reconstruction of the Palestinian Authority, as well as seek an increased political role through conflict management and engagement with Hamas. The alternative – the continued marginalisation and isolation of Hamas – is a poor substitute for a peace strategy and will lead directly to further bloodshed, both Palestinian and Israeli.

ⁱ For example, Italy, Spain, France, Luxembourg, Finland and the U.K, among others, who have met with non-Hamas members of the Palestinian cabinet. The Government of Norway re-established full diplomatic ties, including aid, with the Palestinian Authority, a move based in part on Norwegian domestic political pressure to play a more constructive role.

ⁱⁱ Echoing U.S. administration officials, Terje Rød-Larsen argued that the electoral victory of Hamas in January 2006 presented the movement with the 'deep existential dilemma' of governing through institutions set up under the Oslo accords, which it opposed (CNN, 26 January 2006)

ⁱⁱⁱ The balance of popular support between Fatah and Hamas has remained relatively stable over the past 18 months: 54 percent for Fatah in December 2006 compared to 46 percent in December 2005, while Hamas received 32 percent support in December 2006, compared with 21 percent a year earlier; 'Surveying Palestinian Opinions December 2006', Fafo AIS, <http://www.faf.no/ais/middeast/opt/opinionpolls/index.htm>.

^{iv} The demand for national unity is a deeply entrenched part of Palestinian political culture. The majority of Palestinians surveyed in the West Bank and Gaza in 2005 and 2006 have advocated a national unity government, rather than elections, as the way out of the deepening crisis; Ibid.

^v For a good summary of the political transition in Palestine see Robert Malley and Hussein Agha, *NYRB*, May 10 2007.

^{vi} A regional approach, based on the Arab League initiative and aimed at a comprehensive final agreement with Israel, was the principle recommendation of a meeting of prominent political personalities from the region on the fifteenth anniversary of the Madrid peace conference in January 2007. See www.madrid15.org. The author was one of the organisers of the meeting.

^{vii} 'The Arab Peace Initiative', <http://www.al-bab.com/arab/docs/league/peace02.htm>

^{viii} See, for example, Beverly Milton-Edwards, *Islamic Politics in Palestine*, London: IB Taurus, 1999; or, more recently, 'Prepared for Power: Hamas, Governance and Conflict', *Civil Wars*, 7:4, winter 2005, pp.311-329; also, Graham Usher, *Dispatches from Palestine*, London: Pluto, 1999.

^{ix} 9 February 1995; A text entitled simply 'Draft Agreement' was obtained by the author in Gaza in 1995.

^x M. Taylor (2006), 'Humanitarianism or counterinsurgency? R2P at the crossroads', *International Journal*, Winter 2005-2006, pp. 146-158; M. Taylor (2005), 'Estados frágiles y gobernabilidad en el comercio del conflicto' (Fragile States and the Governance of Conflict Trade), in Susan Woodward and Mark B. Taylor, *Estados frágiles: soberanía, desarrollo y conflicto*, Madrid: Centro de Investigación para la Paz (CIP-FUHEM).

^{xi} The balance of popular support between Fatah and Hamas has remained relatively stable over the past 18 months: 54 percent for Fatah in December 2006 compared to 46 percent in December 2005, while Hamas received 32 percent support in December 2006, compared with 21 percent a year earlier; 'Surveying Palestinian Opinions December 2006', Fafo AIS, <http://www.faf.no/ais/middeast/opt/opinionpolls/index.htm>.

^{xii} Professor Milton-Edwards believes that the Mecca agreement is significant in the long run because it reaffirms the reform process in the PLO, which effectively opens up the organisation to the Hamas reform agenda; interview with the author, 6 March 2007, Jerusalem.

^{xiii} In January, at the 'Madrid+15' conference, Norway's Foreign Minister, Jonas Gahr Støre argued for political solutions, 'There must be a diplomatic process with rights and obligations for every conflict. To halt violent extremism, we must engage all parties, including non state actors in dialogue and responsible engagement. Failing to do so would leave the initiative to extremists and to those who refuse compromise. Groups cannot be eradicated by military force or eliminated by decree.'

^{xiv} Richard Youngs (2007), 'The EU and the Middle East Peace Process: Re-engagement?', FRIDE Comment, March 2007.