



**Mark B. Taylor**

## Palestinian self-determination

Norway was the first country to end its boycott of Hamas, re-establishing normal economic and political relations with the Palestinian Authority as soon as the new government was formed. Sanctions have helped Hamas consolidate its position, and contributed to a political crisis which has weakened the Palestinians in their struggle with Israel. Hamas has so far gained legitimacy from its war with Israel, but the struggle against Israel has often come second to its objective of an Islamic state in Palestine. Arafat's repression of Hamas in the 1990s was based largely on his need to consolidate his own position. But 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. The obvious way forward is to insist that Palestinian democracy includes not just Hamas, but all those factions who have resisted occupation with violence.

Diplomacy is moving to centre stage in the Middle East. After a year of international sanctions on the Hamas government, and a steady slide towards civil war in Palestine, Saudi Arabia stepped in 7–8 February to negotiate the Mecca Agreement as the basis for a national unity government and an end to the international boycott.<sup>1</sup> "All reference to the key requirements of the international community are in the agreement", said Norwegian Foreign Minister Jonas Gahr Støre. "We must be ready to engage". Six weeks later, the formation of the new government prompted Norway to be the first to end its boycott and re-establish normal economic and political relations with the Palestinian Authority (PA). Even the United States indicated they would not rule out contacts with non-Hamas members of the government. Any movement towards resuming political and economic contact with the PA will be an improvement over boycotts and sanctions. Israel and the US are unlikely to engage in any significant way with the Palestinian government for some time, if at all, and EU countries will take longer than Norway to find the middle ground. But the ever so slight shift in US posture towards engagement with the Palestinian government is a sign that the US has accepted the Arab argument that a diplomatic process is necessary.

But diplomacy — like sanctions — is a tactic. It does not constitute a strategy. After the success of Mecca, the question facing the region is a simple one: now what? Beyond diplomacy, is there a peace strategy? More importantly, does that strategy include Hamas?

### **A regional peace?**

The election of Hamas in January 2006 presented international peace diplomacy with a dilemma: how to continue economic support of Palestine when anti-terrorism laws prohibit providing such support to a listed

organization like Hamas? This was a particularly difficult problem since economic assistance 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 US Middle East policy was to abandon that strategy altogether: impose a political and economic boycott on the Hamas government and demand that the problem — Hamas — solve itself. In effect, the US walked away from the peace process and took its allies in the Quartet with it. It was not a particularly effective move. The democratically elected Hamas government did not fall, nor did its rival, Fatah, replace it. Hamas has not met international demands to recognize Israel, fully accept past agreements between Israel and the PLO, or renounce violence, nor has the movement imploded in the process of trying to do so. In fact, rather than reverse the results of the January 2006 elections in which Hamas came to power, or force Hamas into a crisis over some "deep existential dilemma"<sup>2</sup>, the sanctions have helped Hamas consolidate its electoral gains and contributed to a political crisis that has weakened the Palestinians in their struggle with Israel.

The Mecca initiative will help the US avoid a looming policy defeat. At the same time, it has permitted the Saudis to make clear that the promise of diplomatic re-engagement in the region comes with a price tag attached: it will be difficult to get Arab backing for US policy relating to Iraq, and possibly Iran, without US support for renewed efforts towards a solution to the region's conflicts, in particular on Palestine. Luckily for the US, the basis for renewed efforts already exists. In January, at the commemoration of the fifteenth anniversary of the Madrid peace conference<sup>3</sup>, the message from all Arab and Israeli participants was remarkably consistent: their peoples are ready to make peace, the outlines of the agreements are known in great detail, and the lessons of the past indicate that the objective must be a comprehensive agreement. The region's conflicts are linked today like never before and any negotiation must be regional in scope, comprehensive in substance — and final. This was the logic of the Arab Peace Initiative. The Initiative, launched at the Arab League Summit in Beirut in 2002, calls for an end to occupation as the basis for peace with Israel.<sup>4</sup> It is no coincidence that Saudi Arabia's role in sponsoring that initiative, and its role in mediating at Mecca, have given new life to a regional approach. In this context, Israel's objections to Norway's resumption of relations with the PA will not prevent Norway from playing an important role. Not unlike the pre-Madrid world of 1991, many of the actors have problems sitting down with each other one-on-one, but all have signalled their ability to participate in a regional discussion. However, a stark difference between 1991 and today is the knowledge that unilateral steps and the interim arrangements which characterised the Madrid and Oslo processes just don't work. Former Israeli Foreign Minister Shlomo Ben Ami told the "Madrid + 15" meeting that "the dysfunctionality of our political systems on both sides means we are constantly adjusting interim agreements and undermining trust". And that creates a perfect environment for those opposed to the peace process.

## Engaging Hamas

Since the 1993 Oslo accords, Hamas has been the principle Palestinian opponent to the peace process. Today, as the diplomats begin to talk of another peace process, the presence of Hamas in government begs the question: Is Hamas capable of compromise? 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 political Islam 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.

We know this because of repeated attempts by Hamas to consolidate its position in Palestine by compromising in its fight with Israel.<sup>5</sup> 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.<sup>6</sup> 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 which made progress conditional upon him providing security to Israel. This structure at the heart of Oslo — a peace process predicated on a kind of counter-insurgency by the PA against Hamas — was perfect 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 faith in the peace process made him look powerless. The Hamas strategy was complete.

The Hamas combination of nationalism, resistance, and political Islam 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, include the corruption of the Palestinian Authority as much as they do the continued dispossession and repression of Israeli occupation. Yet the popularity of Hamas remains limited — perhaps a core of about one quarter to one third of the Palestinian public opinion.<sup>7</sup> 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 calling for a long-term cease fire, or hudna. None of these has been taken up by Israel or its allies, and some of them have been immediately contradicted by other Hamas spokesmen. But the agreements which emerged from Mecca included a tacit recognition of Israel, and a re-statement of Hamas' desire to pursue membership in a reformed PLO.<sup>8</sup> 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, both ultimately strengthen Hamas in the long run, and strengthen the radicals in their ranks in particular. 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 marginalization of Hamas. But there is no telling for how long Fatah will tolerate the present arrangement. A reversion to internecine fighting is all too possible.

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 who have resisted occupation with violence. The strategy underlying a future peace process must consolidate the fragile peace between Fatah and Hamas by consolidating Palestinian democracy. Those who frame the coming peace process with Israel must recognize 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.

To continue to marginalize Hamas is a poor substitute for a peace strategy and will lead directly to further bloodshed, both Palestinian and Israeli. 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 involve 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." Amen.

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<sup>1</sup> "Text of the Mecca Agreement", [www.jmcc.org/new/07/feb/meccaagree.htm](http://www.jmcc.org/new/07/feb/meccaagree.htm)

<sup>2</sup> Echoing US Administration officials, Terje Rød-Larsen argued 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).

<sup>3</sup> See [www.madrid15.org/](http://www.madrid15.org/). The author was one of the organizers of the meeting.

<sup>4</sup> "The Arab Peace Initiative", [www.al-bab.com/arab/docs/league/peace02.htm](http://www.al-bab.com/arab/docs/league/peace02.htm)

<sup>5</sup> See, e.g., Beverly Milton-Edwards, *Islamic Politics in Palestine*, IB Taurus 1999; or more recently "Prepared for Power: Hamas, Governance and Conflict", *Civil Wars*, vol. 7, no. 4

(winter 2005), 311–329; *Graham Usher Dispatches from Palestine*, Pluto 1999.

- <sup>6</sup> 9 February 1995; a text entitled simply "Draft Agreement" was obtained by the author in Gaza in 1995.
- <sup>7</sup> The balance of popular support between Fatah and Hamas has remained relatively stable over the past 18 months: 54 per cent for Fatah in December 2006 compared to 46 per cent in December 2005, while Hamas received 32 per cent support in December 2006, compared with 21 per cent a year earlier; "Surveying Palestinian Opinions December 2006", Fafo AIS.
- <sup>8</sup> 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 organization to the Hamas reform agenda; interview with the author, Jerusalem, 6 March 2007.

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