

THE SOMEWHAT INCONCLUSIVE Israeli election results of 28 March threw into still sharper relief the surprise outcome of the Palestinian parliamentary polls of 25 January, in which Hamas won a decisive majority. The likelihood that the new Israeli ruling coalition will be volatile underlines the need for stability on the Palestinian side if any new diplomatic initiatives linked to the peace process are to succeed. Hamas comes closer to fitting the bill than its ousted rival, Fateh, but its refusal so far to meet Israeli and international conditions for dialogue and aid means that the various parties may be heading for confrontation.

This would be paradoxical, as Palestinian politics have moved decisively into a new phase. This is expressed only partly by the victory of Hamas over Fateh, or by the substitution of its 'clean-hands' image for the latter's reputation as a vehicle for patronage. Of comparable importance is the replacement of one style of politics with another. Despite endorsing the 1993 Oslo Accords and committing to mutual recognition and co-existence with Israel, Fateh failed to change from guerilla movement to civilian party and neglected to use its executive power or majority in the Palestinian Legislative Council (PLC) to address poor governance, insecurity and economic decline. Hamas, which Israel and the West associate most with suicide bombings and implacable opposition to Oslo, in contrast has a reputation among Palestinians for effective social welfare programmes and honesty. And its astute election campaign suggested that Hamas is more comfortable than Fateh in the conduct of civilian party politics.

This may seem counter-intuitive for a party with a military wing and that advocates 'armed resistance' against Israeli occupation. Yet Hamas developed between the start of occupation in 1967 and the outbreak of the first intifada in 1987 as an indigenous, unarmed grassroots movement focusing on social and cultural issues, and never joined the Palestine Liberation Organization (PLO) or the armed struggle it waged from sanctuaries in Arab countries. The ascent of Hamas represents a radical break with the legacy of former PLO chairman and Palestinian Authority (PA) president Yasser Arafat and the political culture of the PLO 'returnees' who came with him from Tunisian exile.

Fateh strikes back

Fateh is unreconciled to the transition in Palestinian politics. Many senior leaders and cadres are convinced that, having garnered roughly as many votes as Hamas, and with an additional 10% of the ballot going to secular parties, Fateh was cheated of victory. Yet Hamas won



Governing Palestine

Internal struggle, external coercion

according to a new electoral system combining proportional representation nationally with first-past-the-post district seats devised by Fateh during 2005 to ensure its own victory. Moreover, Fateh lost largely because some 300 of its members ran as independent candidates against their own party in the district-based polls.

Fateh has fought back by shifting many powers and assets to PA President Mahmoud Abbas. This began in late 2005, once it became obvious that Hamas would become a major opposition force with large influence over the legislature, government and the security services. Fateh is also pursuing a policy of rendering the Hamas administration unable to govern effectively, with the ultimate aim of forcing new elections that Fateh believes will return it to power in months. It has urged the international community to divert aid to PA agencies and programmes controlled by Abbas or to local NGOs, indirectly slashing the operational budgets of PA ministries and circumscribing the ability of the Hamas government to deliver public services. Israel has already blocked the transfer of customs and value-added tax revenue it collects on behalf of the PA worth \$50–55 million per month – this being the principal source of domestic revenue with which the Hamas government would ordinarily pay the salaries of the 140,000-strong bureaucracy and police force it inherited.

Abbas has publicly urged the international community to maintain aid flows and budgetary assistance to the cash-strapped PA, but this is clearly at odds with Fateh's strategy of isolating and incapacitating the Hamas government, making it solely responsible for the inevitable degradation in Palestinian economic and social conditions. For this reason, Fateh rejected an offer from Hamas to form a national unity government. This is a stance actively encouraged by US

envoys, because it facilitates targeting a Hamas-led PA with financial sanctions so long as it does not recognise Israel's right to exist, forswear violence, and accept previous Israeli–Palestinian agreements.

The approach is based on two assumptions: first, that economic pain will focus public discontent against the Hamas government, compelling it either to comply with US conditions or to call new elections; and, second, that in the latter event Fateh will be returned to power. These assumptions appear largely erroneous, not least because they disregard the extent of public dissatisfaction with the failure of the Fateh-dominated PA since 1994 not only to provide effective government and rule of law, but also to deliver on its central promise of a viable peace process leading to statehood and economic dividends.

Public concern with lawlessness, already on the increase in 2005, has also risen sharply as armed militants belonging to Fateh in Gaza have assaulted PA facilities and security personnel, engaged in land-grabs or seized public property, and conducted private feuds almost daily since the Hamas victory. Hamas has widened its lead over Fateh in recent opinion polls as a result, additionally reflecting the public perception that Fateh is seeking to overturn a democratic outcome, with blatant US support. The same polls show that a large majority opposes the reduction of parliamentary powers engineered by Fateh, and expects the Hamas government to be successful in combating corruption within the PA.

The security dilemma

It would be an exaggeration to say that Fateh has embarked on a deliberate strategy of destabilisation. The groups engaged in acts of violence in Gaza are often little more than extensions of local clans or criminalised networks that do not

Fateh transfers key powers

- 13 February 2006: the outgoing Fateh majority creates a Constitutional Court with the power to veto new legislation deemed to violate the PA's Basic Law. Its nine judges may be appointed by the president without parliamentary approval. Given that the Court has no authority to strike down presidential decrees, this effectively shifts legislative power from the PLC to Abbas.
- New posts of PLC Secretary-General and Deputy Secretary-General also created, with greater authority over the parliament's administrative, financial, legal, public relations, and protocol affairs than either the Office of the Speaker or the Parliamentary Secretary, both of whom now come from Hamas. Abbas meanwhile brought official TV, radio, and news agencies under his control.
- Abbas authorises a large number of last-minute promotions of Fateh appointees in the civil service, and assigns Fateh loyalists to head the Financial Comptroller's Office, General Personnel Council, and General Insurance and Pensions Commission – key posts that had fallen vacant since 2005.

Photo: Gaza City, 29 March 2006. Palestinian Authority President Mahmoud Abbas (right) shakes hands with incoming Hamas Prime Minister Ismail Haniyeh upon his swearing in to office. Photo © AP

recognise the authority of the Fateh leadership. Much the same applies to Fateh militants who are responsible, along with Islamic Jihad, for a recent upturn in attacks on Israeli soldiers and settlers in the northern and southern West Bank and across the border from Gaza. But there can be little doubt that the US stance is encouraging Fateh to make it impossible for Hamas to govern.

This is evident in the open challenge posed by senior PA police commanders – all members of Fateh and some with vested interests in the patronage system – who have stated that they will not acknowledge the authority of the Hamas government. In late 2005, the then Fateh-dominated PLC placed three of six branches of the police and security services under the direct control of the president. Abbas subsequently confirmed government authority over all six branches following the Hamas victory, but confused the issue by reaffirming that he would still retain overall control.

At present there is no assurance that the PA police force will enforce law and order at the behest of the Hamas government, and units that have attempted to do so in Gaza have come under fire from Fateh militants. That said, Hamas has gained considerable influence among the police rank-and-file, 30% of whom are estimated to have voted for its candidates at the recent elections. If the US policy of denying assistance to those branches of the PA security sector that come under Hamas is accompanied by a diversion of aid towards those branches that are under Fateh control, this would further divide the sector into two rival camps, each backed by its own armed party militants.

The risk of armed rivalry is increased by reports that the PA has added 19,000 new recruits, mostly Fateh members, to the police payroll since 1 March 2005, including 13,000 since December alone. The PA came under intense pressure from international donors last year to implement retrenchment in the security sector, which already stood at 57,000 personnel, and so the latest increases deepen the dilemma for Hamas of asserting control over a Fateh-dominated police force and reducing its strength in line with donor demands, while coping with a donor boycott and potentially crippling financial sanctions.

A broken Fateh

Clearly the stakes are high for all parties. However, although Israel and the US are able to wield extensive financial leverage over the PA, a coercive strategy is crippled from the outset by its reliance on Fateh to present a credible alternative to the Hamas government. Fateh now appears

united and galvanised, but this is deceptive. On the one hand, its 'old guard' leadership is hopelessly out of touch and deeply discredited, not least among its own 'young guard', who blame it for the electoral debacle. On the other hand, the young guard is itself bitterly divided, and many of its candidates failed to win PLC seats. Neither the old nor young guard has meaningful control over the armed militants of the al-Aqsa Martyrs' Brigades or Popular Resistance Committees, who are utterly fragmented into competing local bands and subject to no organised chain of command.

Fateh is incapable of the one thing that could alter its prospects: reinventing itself as something akin to a social democratic party and learning to act in effective but peaceful opposition. The lure of retaking government and the power of patronage through quicker, coercive means is too strong. Yet there is no assurance that Fateh would be able to achieve much greater internal discipline or present a more united front if new elections are held. It does not help Fateh that its main strength – a political platform based on pursuing the peace process with Israel and on attaining Palestinian statehood within borders approximating the pre-1967 'Green Line', a capital in East Jerusalem, and a reasonable deal on refugees – has been substantially eroded by the collapse of the peace process and by the Israeli refusal to acknowledge the Fateh-dominated PA or Abbas as a genuine or capable partner. Hamas has further reduced Fateh's comparative advantage by accepting much the same platform, even while renewing its commitment to the eventual destruction of Israel after a 'truce' that could last decades. The main difference is that Hamas promises to govern better, at least until allowed to prove otherwise.

Tensions within Hamas

Were new elections to be held under present conditions, Fateh would probably lose further seats to Hamas. The latter has emerged over the past year as a considerably more sophisticated political organisation than previously believed. It showed itself able to formulate coherent and effective responses to repeated attempts by Fateh to delay and manipulate the electoral process, and maintained internal discipline, not only in political affairs but also in observing a *tahdi'ah* (calming down) of attacks against Israel. Ironically, the Israeli policy of assassinating Hamas leaders and trouncing its military wing has left its surviving civilian leadership in firmer control and able to vindicate its strategic decision last year to contest the PLC elections. Its victory has moreover

strengthened the 'inside' leadership based in Gaza (mainly) and the West Bank in relation to the generally more hardline 'outside' leadership based in Damascus.

That said, Hamas has not yet resolved the basic divide between its hardliners and more moderate pragmatists. This is reflected in the new PA cabinet lineup, which includes the hawkish Mahmoud Zahhar as foreign minister and pragmatic Sa'id Siyam as minister of interior, and in the balance between the pragmatic new Prime Minister Ismail Hanieh and Khaled Mishaal, hawkish head of the Hamas politburo in Damascus. Hamas sees little need to address the division so long as it is under siege, any more than it feels bound to meet international conditions for direct dialogue and assistance so long as the new Israeli government has not shown its own hand. Fateh's refusal to join a national unity government, intended to compel Hamas to meet international conditions, probably weakens the pragmatists in the internal debate.

Dilemmas all round

Abbas could influence the course of events. He has tried to demonstrate his respect for the democratic outcome of the PLC elections, while using his office to establish clear benchmarks for Hamas to meet, in line with international conditions. So far Hamas has sought to build good working relations with him, in part because it lacks the two-thirds majority in parliament needed to make certain legislative changes and therefore needs him to use his presidential powers on its behalf. But pressure from Fateh to isolate and incapacitate the Hamas government renders Abbas's balancing act all but impossible. Should he follow through on his threat to resign in case of total impasse, PLC Speaker Abdul-Aziz Dweik, regarded as a Hamas moderate, would become acting president for a 90-day period. The subsequent election for a successor could well return a Hamas president, completing the movement's legal hold on all constitutional powers within the PA and in all probability pushing Fateh into outright rebellion.

The international community faces a delicate task, therefore. It is right to set conditions for political dialogue and material assistance in order to compel Hamas to make clear choices and then take full responsibility for them. But the Palestinian political system, economy and governing structures have become too fragile to withstand the impact of a coercive strategy aimed at bringing down the Hamas government and restoring Fateh rule. Civil strife and uncontrollable violence could then result, leaving the international community with a humanitarian crisis on its hands. ☪IISS