

Pragmatism and Ideology: Fatah, Hamas and the Arab League

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The Oslo accords set in motion a historical process of great promise, at least from the Israeli point of view. It quickly resulted in the creation of the Palestinian Authority (PA), whose President and Parliament were elected solely by the people of the West Bank and Gaza. The Palestinian problem could now seemingly be resolved within the 1967 boundaries:

representative institutions had been created that appeared to be shifting the center of gravity of the Palestinian national endeavor from the Diaspora to the “inside,” i.e. the West Bank and Gaza. For Israel, it was far easier to satisfy the national aspirations of the Palestinians in the West Bank and Gaza than those of the Diaspora, whose primary focus was on the question of refugee return rather than on statehood alongside Israel.

For its part, the PLO underwent at least a partial transformation. Formed and based in the Diaspora, the PLO had functioned for thirty years, serving and articulating the interests of its primary constituency, the refugee communities. Now, thanks to Oslo, the leadership ensconced itself “inside,” as the largely unchallenged and legitimate head of the PA. In doing so, it appeared to be on the way to giving preference to the core concerns of the Palestinian West Bank-Gaza populace, rather than the Diaspora. Hence, this dynamic had the makings of a stable two-state settlement.

However, the Oslo process was never consummated. The Camp David talks of July

2000, held under the auspices of US President Clinton, ended in dismal failure, and a new, more severe and lasting cycle of Palestinian-Israeli violence broke out in late September of that year. Over the subsequent bloody years, Fatah became discredited in the eyes of the Palestinians, while Hamas' star rose. With the peace process in tatters, and Israel convinced that there was no longer a viable Palestinian negotiating partner, it chose to withdraw unilaterally from the Gaza Strip and dismantle its civilian settlements there (carrying out its decision in the summer of 2005).

In these circumstances, Hamas decisively defeated Fatah in elections for the Palestinian Legislative Council (PLC), held in January 2006. Hamas had boycotted the previous elections to the PLC held ten years earlier, refusing to participate in the building of Palestinian institutions under the aegis of the objectionable Oslo accords. Such elections, its spokesmen argued then, served Israel's interests by deepening the rift between the “inside” and the Diaspora. There could be “no democracy without sovereignty and no sovereignty without independence,” they contended. Hence, Hamas' participation in the 2006 elections marked a significant departure from past practice, in the direction of greater pragmatism on concrete, immediate issues. For Hamas, the exigencies of the hour outweighed its reluctant legitimization of Palestinian institutions being constructed in accordance with the ideologically unacceptable



Oslo two-state formula.

Victory in the elections, and the onus of government that came with it, coerced Hamas into taking further pragmatic steps. On the morrow of its triumph, Hamas called on the defeated and dispirited Fatah to join it in a National Unity Government (NUG). For over a year, Fatah rejected the idea, hoping that Hamas would fail in its efforts to govern. It was only in March 2007 that an NUG was finally formed, thanks primarily to intensive Saudi efforts. The formation of the NUG had been preceded by discussions between Fatah and Hamas prisoners in Israeli jails, which produced the so-called "prisoners' document." In it, Hamas representatives accepted the notion of independent Palestinian statehood within the 1967 boundaries, and the point was reiterated in the NUG's founding policy statement. But while making short-term, immediate concessions, Hamas slammed the door shut on the prospects of a long-term compromise over basic principles, particularly regarding the refugee question. The newly articulated, consensual Palestinian positions reflected in the "prisoners' document" and NUG policy statement reveal a significant hardening of the Palestinian position vis-a-vis the conflict with Israel, as Hamas seeks to reverse the Oslo dynamic by deliberately highlighting the centrality of the Palestinian Diaspora constituency.

Thus, the "prisoners' document" refers specifically to the endeavors of "the Palestinian people inside the homeland *and in the Diaspora* [author's emphasis] to liberate their land and to exercise their right to freedom, return and independence." It also calls for special efforts in support of the refugees, noting the need to reorganize them politically by convening "a popular representative conference of refugees." Reasserting Diaspora centrality, the NUG policy statement specified that any agreement reached with Israel would have to be approved not by the PA or its legislature, but by a new Palestine National Council, the legislative body of the PLO, or alternatively by a national referendum among all Palestinians, inside Palestine and in

the Diaspora.

The emphasis on Diaspora centrality is the essential precursor for demanding refugee return. The "prisoners' document" and NUG policy statement thus call for the implementation of UN General Assembly Resolution 194 from December 1948, "especially its provision for the right of the Palestinian refugees to return to their lands and properties that they had left, and to compensation." The Arab peace initiative reaffirmed by the Riyadh Arab Summit conference in March 2007 does not paper over this problem either. It calls for "a just and agreed solution" to the refugee problem, in accordance with resolution 194, while simultaneously "rejecting all forms of resettlement (*tawtin*)" of refugees outside of Palestine. Thus, with one hand it offers Israel an agreement on the matter, while with the other it specifically rejects the conditions that would make such an agreement possible.

In theory, at least, the issues of Diaspora and statehood could be merged if the matter of refugee return were to be subordinated and linked to Israel's withdrawal from territories occupied in 1967. This could be achieved by specifying that refugee return would be to the state of Palestine established alongside Israel, rather than statehood in addition to refugee return to Israel proper. This option, however, is specifically ruled out by the NUG policy statement, which insists on the "return to their lands and properties that they had left." In addition, the Arab initiative's rejection of *tawtin* applies just as much to refugees living in the West Bank and Gaza as it does to those in Lebanon, Jordan and elsewhere.

In these circumstances, when the gaps between Israel and the Palestinians on final status issues are widening rather than narrowing, it would seem far more realistic to pursue interim solutions than the ever-more elusive "end of conflict." Seeking a solution for all time, let alone in no time, is bound to fail again.