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**The Fatah-Hamas Reconciliation
and the Israeli-Palestinian Negotiations**

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On Wednesday, April 23, 2014, representatives of Fatah and Hamas meeting in Gaza reached agreement on a long-sought reconciliation. That same evening, the Israeli government canceled a scheduled meeting of Palestinian and Israeli negotiators, and the following day, the government voted unanimously to suspend negotiations. The government argued that in his embrace of Hamas, Muhammad Abbas, the President of the Palestinian Authority and Chairman of the Palestinian Liberation Organization (PLO) and Fatah, had rejected peace. In fact, the nine months of negotiations preceding the Fatah-Hamas reconciliation (and, some might argue, the twenty years of on-again, off-again peace process with a Fatah leadership unconstrained by partnership with Hamas) had shown that Israel and Fatah, even operating on its own, are in any case exceedingly unlikely to reach an agreement that satisfies the minimal needs of the other's center of political gravity. It is therefore not altogether clear why Israel, rather than initiating a suspension of negotiations after repeatedly insisting that Abbas commit himself to their continuation, did not instead exploit the reconciliation announcement to improve its standing in the international blame game that has been the main sub-text of the negotiations all along.

Although details – where the devil normally resides – were not announced, the main contours of the reconciliation agreement have been made public. Abbas will form a unity government of technocrats within five weeks, which will prepare for new presidential and parliamentary elections within six months; some reports also indicate plans to reconstitute the PLO, Israel's formal negotiating partner. This agreement is the culmination of years of unsuccessful efforts to reconcile the two movements, first through discussions of reform of the PLO, and then through mediated negotiations to consolidate governance of the Palestinian Authority following the violent split between Fatah and Hamas in 2007. Those negotiations even produced two formal agreements (in Cairo, in 2011, and in Doha, in 2012), but all these reconciliation efforts ultimately

crashed on the rocks of the struggle for power and control – especially over security agencies – even more than on differences over the approach to Israel.

It is not inconceivable that this latest agreement may have a longer life span than those that preceded it, largely because it provides an immediate response to the urgent needs of the parties: for Hamas, a mechanism to relieve the constrictions imposed by a hostile military-dominated government in Egypt, which sees Hamas as little more than an extension of the hated Muslim Brotherhood; for Fatah, a safety-valve to salvage the declining legitimacy of a President last elected eight years ago and under mounting pressure from a political challenge inside Fatah led by Muhammad Dahlan; for both, a way to use the popular cause of “national unity” to counter growing public disillusionment in the West Bank and Gaza with the suboptimal performance and petty rivalries of local governments. For these reasons, this effort at reconciliation may fare better than all those that came before.

Still, the historical record is not encouraging, and the practical, neuralgic implications of a unity government (such as the fate of Hamas prisoners in Fatah jails and the control of security agencies) have yet to be addressed. Most critically, if elections are actually held, each movement will have to decide whether, in the event of an electoral loss, it will voluntarily cede to the other the territory it now controls. It is thus entirely possible that political analyst and former Palestinian Authority official Ghassan Khatib may have been close to the truth when he told the *New York Times*, “The sides may be in need of a reconciliation, but neither side can afford success.”

But even if the reconciliation does succeed, it will make no appreciable difference to prospects for a comprehensive Israeli-Palestinian agreement, one way or the other. True, Hamas inside might conceivably entertain what Hamas outside has been unwilling to countenance (though the brief one-year experience of cohabitation in 2006-2007 does little to buttress that expectation). But it is Abbas himself – speaking for his own constituency – who has been unwilling or unable to accede to the condition that many (most?) Israelis consider the *sine qua non* of a definitive peace: recognition of Israel as the nation-state of the Jewish people, i.e., the principle of “two states for two peoples” embodied in the truly formative United Nations statement on the Israeli-Arab conflict, General Assembly Resolution 181 of 1947. Palestinian unity could, indeed, facilitate a peace agreement, but only if the result is that Hamas actually pushes Abbas to abandon his position on this issue, an outcome that is highly counterintuitive if not altogether hallucinatory.

In any case, what is critical for Israel is not whether every Palestinian faction endorses a putative agreement – after all, there are also some Israeli factions in the governing coalition that object to “two states for two peoples” – but rather whether the substantive

content of that agreement meets Israel's needs, and its implementation is conditioned on a serious ratification process, including an internationally-monitored "free and fair" Palestinian referendum. Until conditions emerge for a comprehensive agreement that can be put to such a test, there is no reason why a Palestinian government that includes Hamas should preclude ongoing conflict management arrangements (which Israel has jointly pursued with Hamas with respect to Gaza), including arrangements like the Temporary International Mechanism that facilitated the continuing funding and functioning of the PA in 2006-2007.

Since the developing Fatah-Hamas reconciliation process has no obvious implications for the Israeli-Palestinian negotiation process, the reasoning behind the Israeli government's decision to initiate a formal suspension of negotiations is not self-evident. Rather than expose itself to the suspicion that it was grasping at an apparent opportunity to ease friction within the ruling coalition, the government could have shifted the onus to the other side, at the very least by forcing Hamas to redefine its approach to Israel and articulate more clearly its own approach to negotiations. After all, while a peace agreement is certainly a desideratum in the negotiations process, it may not be a realistic near-term objective, and it is certainly not the only objective. At this point, the aim of managing an unresolved conflict, including entrenching Israel's international political standing, is just as vital. Challenging a potentially reformed PLO and PA that include major Hamas components to accommodate the international legitimacy embodied in the Quartet principles – recognition of Israel, renunciation of violence, and endorsement of existing Israeli-Palestinian agreements – could have more effectively promoted at least the second of Israel's objectives, and perhaps even both of them.

