

Assessing the New Palestinian Unity Government:

A Step Forward or Back?

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Brief Analysis

On March 17, the Palestinian Legislative Council (PLC) approved the formation of a Hamas-Fatah national unity government by an 83-3 margin. This culminated a process that began in early February with the Mecca accord facilitated by Saudi Arabia's King Abdullah. Many governments have withheld comment since that accord. One reason for their relative silence is reluctance to criticize a project associated with King Abdullah, who is emerging as a leading force in the Arab world and a linchpin of U.S. efforts to isolate Iran. Another is bated hope that the new government guidelines will be a marked improvement over those of the current Hamas government. Since Hamas's victory in January 2006 parliamentary elections, the focus has been on three principles proposed by the Quartet (the United States, Russia, the European Union, and the UN): (1) recognition of Israel, (2) disavowal of violence, and (3) adherence to past written commitments.

There is a growing consensus among key countries that the new unity government has not met these principles. UN secretary-general Ban Ki-moon called the new government's terms "a little bit disappointing," adding, "They have not clearly stated that they will abide by . . . these three principles." On March 19, European Union (EU) foreign policy chief Javier Solana, standing alongside Secretary of State Condoleezza Rice, echoed Ban's position, declaring that the unity government does not "comply fully" with the Quartet principles.

And while meeting the press along with Solana and other key European diplomats, Rice defended the Quartet principles, stating, "You cannot have a peace agreement or a peace process when one party does not recognize the right of the other party to exist or will not renounce violence." Similarly, chief State Department spokesman Sean McCormack said that "resistance," which the new Palestinian government endorsed, is assumed to be a "codeword" for the use of violence and terror.

A Step Forward?

In light of these concerns, the central question becomes whether the new unity government marks a step toward Israeli-Palestinian coexistence, or a step back toward greater division. Those who support the former argument offer several points:

Less violence among Palestinians is good and will likely decrease attacks on Israel. The prevailing view is that the

new government represents the best hope for decreasing the internecine Hamas-Fatah violence that has claimed nearly 100 Palestinian lives since December 2006. This reduction could in turn deescalate the conflict with Israel, since both Hamas and Fatah have viewed the killing of Israelis as an area of internal competition.

Support for unity will translate into popularity for Abbas. Perhaps the establishment of the national unity government will make Palestinian president Mahmoud Abbas, the concept's chief sponsor, more popular, giving him more freedom to express his views. For example, at a March 19 PLC meeting, he openly contradicted Hamas prime minister Ismail Haniyeh by eschewing violence as a means of ending the conflict with Israel.

Incremental steps will lead to moderation. The unity platform states that the new government will "respect the international legitimacy resolutions and the agreements signed by the PLO." Although Hamas officials have made the distinction that to "respect" a resolution does not mean committing to comply with it, this platform could constitute a small step toward peace. The new government guidelines also state a desire to pursue a tahdiya (period of calm) with Israel, leading to a mutual and comprehensive ceasefire. However, Haniyeh has repeatedly declared that Hamas will not abide by past resolutions that do not serve Palestinian interests -- which will ostensibly be defined by Hamas itself.

The unity government will fall from its own weight. Some say that the differences dividing Fatah and Hamas are so profound that the unity government is doomed to fail. In this view, it is preferable that Hamas ministers fall due to internal differences rather than external pressure.

A Step Backward?

Other observers contend that the new government is a major step backward. Indeed, a closer look at the [text \(http://www.washingtoninstitute.org/templateC11.php?CID=470\)](http://www.washingtoninstitute.org/templateC11.php?CID=470) of the government guidelines, as published by the official Palestinian Wafa news agency on March 18, reveals several items that support this view:

Violence is rewarded over peace. Since its ascension to power, Hamas has regarded unity as a means to consolidate its electoral gains. Joining with Fatah provides political insulation, enabling Hamas to gain international legitimacy and avoid tough choices that would require it to modify its ideological program of political violence. Any international deference toward Hamas sends a message that terrorism does not come with a political price -- that it is, instead, rewarded. Indeed, the notion of "resistance" -- a euphemism for violence that includes attacks on civilians -- is not skirted in the new government guidelines. Defined as "a legitimate right of the Palestinian people . . . to defend themselves against any Israeli aggression," resistance is, in fact, explicitly encouraged.

Hamas has never enforced its ceasefires. Past commitments to tahdiya have been consistent with Hamas's goal of consolidating victory. Ever since it reached a tahdiya pact in Cairo around the time it assumed power, Hamas has consistently told outsiders that it supports calm while not enforcing this policy among groups such as the Popular Resistance Committee (PRC) and Palestinian Islamic Jihad. For example, the government has done virtually nothing to halt an estimated 3,000 Qassam rocket attacks against Israel.

During a Quartet telephone conversation on March 20, foreign ministers agreed that they will judge Hamas by its performance, not just its platform. It is crucial that this performance is clearly defined; namely, that Hamas (1) halt its own attacks and (2) direct Palestinian Authority Security Forces to rein in the attacks of others. Hamas leaders are no longer merely part of an opposition movement, and their performance must be judged according to the standards that apply to a national government.

Vagueness is artful, but not meaningful. The first section of the new government platform avoids committing to a two-state solution. It speaks of creating a Palestinian state within the post-1967 borders, but does not hold that this would end Palestinian territorial demands. The platform goes on to state that the unity government will work with "the Arabs and the international community for ending the occupation," making no mention of Israel. In paragraph

two, the document goes out of its way to avoid endorsing the Arab League peace initiative of 2002, offering the previously quoted statement about "respecting" past agreements signed by the PLO. Although some may interpret this as implicit support of the 1993 Oslo Accords, Hamas officials have clearly distinguished between respecting and complying with such commitments, as mentioned previously.

The one explicitly stated idea in this section can be found in paragraph four, which declares, "The government rejects the so-called state with temporary borders which comes in conformity with the American and Israeli project." In actuality, the idea being referenced here was not an "America and Israeli project," but rather the second phase of the Roadmap endorsed by the Quartet in 2003. While the Roadmap was already moribund, this section of the unity platform gives it an unceremonious burial.

Fatah cannot run as an alternative, and Abbas is not an empowered negotiator. The unity government deprives Fatah of its ability to campaign against Hamas in the next election as an alternative to a failed government. Consequently, people who favor bolstering Abbas at the expense of Hamas will find it harder to make their case. For example, the third section of the unity platform makes it clear that Abbas's powers to negotiate a final-status deal with Israel are considerably diminished. According to the document, such negotiations would either be submitted to a new Palestinian National Council -- where Hamas is seeking a power-sharing role -- or put to a referendum for "the Palestinian people inside and abroad" to decide. The phrase "and abroad" may seem innocent but, in fact, is likely to give the diaspora of millions of Palestinians and their descendants a veto over terms that would likely fall short of their aspirations of returning to their pre-1948 homes.

The Hamas militia in Gaza will likely become more entrenched. The establishment of Hamas's Executive Force has been a tool for consolidating the movement's power in Gaza. Previously, the force had been branded illegal by non-Hamas elements. This week, however, Muhammad Dahlan -- Abbas's recently appointed national security advisor and a sworn enemy of Hamas -- stated that dismantling the Executive Force is not on the agenda.

Navigating the New Diplomatic Arena

The EU is expected to defer the idea of providing financial assistance to the new unity government for several months in the hope of supporting Secretary Rice's current diplomatic efforts in the region. Yet both Europe and Washington seem to be taking a comparable approach to the issue of diplomacy -- and one at odds with Israel. Within just a few days of the new government being installed, both U.S. and EU officials met non-Hamas ministers in the Palestinian cabinet. The Israeli government has stated that it will not meet with any minister in the new government, although it will continue to meet with President Abbas, who was elected separately in 2005 on a platform that supported a two-state solution.

Newly installed and widely liked by the Bush administration, Palestinian finance minister Salam Fayad told al-Jazeera reporters on March 20 that he met with a top U.S. diplomat, Jerusalem consul Jacob Waller, in Ramallah. On March 21, EU envoy Marc Otte met with the new Palestinian foreign minister, Ziad Abu Amr. It will be interesting to see whether such meetings will be a source of bilateral tension or something akin to Israel's own dialogue with Abbas -- a means for the United States and Europe to maintain links with non-Hamas members of the new government.

There are already public differences between Israel and the United States over whether Rice's imminent Middle East trip will involve the issue of a "political horizon" -- that is, a definition of principles to govern the final outcome of the Israeli-Palestinian conflict. In the aftermath of the new unity government, Israeli prime minister Ehud Olmert has publicly stated that talks with Abbas would be limited to humanitarian issues. Rice confirmed this goal but also stated that she will seek to push her objective of formulating a political horizon. Given the political weakness of Olmert and Abbas, however, hope for a breakthrough in Israeli-Palestinian relations has not been high, and it seems the new unity government has nearly eliminated this prospect.

It should be mentioned that one European nation has bucked the consensus on boycotting diplomatic relations with Hamas ministers: non-EU member Norway, site of the original Oslo negotiations. Norway was the first European country this week to restore ties with the new Palestinian Authority government, breaking the European embargo on meeting with Hamas. Israel cancelled a subsequent meeting with a leading Norwegian diplomat as a sign of protest. Norway's move is sadly ironic, given that the unity government platform arguably takes us back to a pre-Oslo status, with explicit Palestinian recognition of Israel absent.

Conclusion

The terms of the Palestinian unity government end much of the residual ambiguity lingering in the wake of the Mecca accord. Those who withheld judgment amid hope that the status quo would improve are -- like the Quartet members themselves -- disappointed. On balance, it is difficult to view the new government as anything but a major step backward on the road to coexistence. First, it is setting the political clock back to a time before Oslo, when a two-state solution was not recognized. Second, by avoiding references to mutual recognition, the government's platform marks the increasingly Islamist tone of Palestinian politics. Expectations that Rice's trip to the Middle East would produce dramatic progress looked slim before the Palestinian unity government was formed. Given the stated platform of that government, the chances of a breakthrough at this time are virtually nil.

David Makovsky is a senior fellow and director of the Project on the Middle East Peace Process at The Washington Institute. He is the coauthor of the recently released Institute Policy Focus [Lessons and Implications of the Israel-Hizballah War: A Preliminary Assessment](http://www.washingtoninstitute.org/templateC04.php?CID=251) (<http://www.washingtoninstitute.org/templateC04.php?CID=251>). ❖

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