

# The Palestinian National Accord: Consensus at Any Cost

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## Brief Analysis

**P**alestinian Authority (PA) president Mahmoud Abbas's surprise May 25 announcement that he would call for a national referendum should Palestinian factions fail to reach agreement during their national dialogue was wrongly interpreted as a peace plan by many in the press. The document Abbas threatened to put to a popular vote is intended to quell the daily gun battles, kidnappings, and assassination attempts among rival armed groups in Gaza. However, since each party will interpret the document to affirm its own interests, the vague language on relations with Israel could be interpreted either as advocating a one-state solution that would eliminate prospects for peace or as recognizing a two-state solution. Abbas and Fatah may view the "national accord," negotiated earlier in May among prominent prisoners in Israeli jails, as a means of forcing Hamas into a corner on negotiating with Israel, but the text of the document much more closely resembles Hamas's own political program. ([Read \(http://www.washingtoninstitute.org/documents/44770f41029f4.pdf\)](http://www.washingtoninstitute.org/documents/44770f41029f4.pdf) an English translation of the national accord in PDF format.)

## One State or Two States?

On the surface, the national accord may seem like a step toward moderation, since the first of its eighteen points affirms the "right to establish an independent state with holy Jerusalem as its capital on all the territories occupied in 1967." Theoretically, accepting such a state in the West Bank, Gaza, and Jerusalem is de facto recognition of Israel as a state within its pre-1967 borders. But while Abbas may have referred to giving up "dreams" in his speech to the national dialogue conference, there is no explicit statement in the accord that establishing a state within the pre-1967 borders would end Palestinian claims over Israeli territory. In fact, vagueness on two critical points of the document suggest that it can also be viewed as another iteration of the Palestinian Liberation Organization's (PLO) 1974 phased plan that declared a willingness to accept the establishment of a national authority in any part of historic Palestine as a step toward "completing the liberation of all Palestinian territory":

First, the national accord advocates “the right of the refugees to return,” urges the creation of a “popular conference” to affirm and adhere to that right, and calls for the implementation of UN General Assembly Resolution 194. It is possible to interpret this language in a way that would guarantee the right of Palestinians to return to their own state and not Israel, along the lines of Abbas’s own past statements that as a refugee from Jaffa, he will not return to his family’s home after a peace treaty with Israel. But by not specifying where the Palestinian refugees would return to or noting that the refugee issue will be resolved through negotiations—as the 2002 Arab League peace initiative stipulates—it is just as likely that signers of the accord favor returning to Israel, the equivalent of advocating a one-state solution.

Second, the national accord does not condemn violence, but actually supports “concentrating resistance in the territories occupied in 1967.” In a separate point, the accord advocates the creation of a “National Resistance Front” to “unify resistance acts and create a unified political authority for the resistance.” And though the accord notes that “the national interest requires re-evaluation of the methods and the best means of struggle against the occupation,” it is unlikely that groups such as Hamas and Islamic Jihad will abandon suicide attacks against civilians or permanently stop attacks within Israeli territory. This emphasis on continued resistance is a particular affront to Abbas, who has long condemned terrorism as harming Palestinian interests. It also contradicts the essence of the internationally backed Roadmap to Middle East peace, which stipulates that the cessation of terrorism be the predicate to any further progress toward negotiations.

#### Lowering the Standard on Recognition

Aside from the reference to accepting a Palestinian state within the pre-1967 borders, the national accord’s only hint at a moderated stance toward Israel is a vague formulation that calls for “standardizing the Palestinian political discourse based on the Palestinian national consensus program, Arab legitimacy, and the international legitimacy resolutions that are fair to our people.” It is possible to assume that “international legitimacy resolutions” refers to UN Security Council Resolution 242, which if accepted would effectively recognize Israel within its pre-1967 borders. And it is also possible to infer that “Arab legitimacy” means the Arab peace initiative adopted by the Arab League in 2002, which declared that the Arab states would recognize Israel and end their conflict with it should Israel withdraw to its pre-1967 borders and settle the refugee problem.

Hamas has to date ignored pressure to adopt the Arab League’s initiative and implicit recognition of Israel. There is thus no reason to believe that the call for “Arab legitimacy” is anything more than a vague formulation that means different things to the different signers of the national accord. The Arab peace initiative presents recognition of Israel in a merely hypothetical context, so it is significant that even that standard was too high to reach consensus among the Palestinian factions.

#### Remaking the PLO

An essential component to any national reconciliation among Palestinian factions is restructuring the PLO, the sole legitimate representative body of the Palestinian people responsible for diplomatic negotiations. Now that Hamas has gained control of the Palestinian Authority, it seeks to take over the PLO in order to sabotage the prospects of negotiating with Israel and to void past agreements signed under its auspices. Hamas believes it should have majority control over the Palestinian National Council—the deliberative body of the PLO—and the national accord thus affirms “the formation of a new National Council before the end of 2006 in a manner that guarantees the representation of all the forces, factions, national and Islamic parties . . . on a proportional basis in terms of representation, influence, and popular social, political, and struggle effectiveness.”

Regardless of whether the national accord is accepted by all Palestinian factions, there is sure to be an impasse at whatever time the new Palestinian National Council is convened, because all factions will have widely divergent

views of the proportion of representatives they merit. Hamas has demanded a share of the National Council equivalent to its percentage of seats in the Palestinian Legislative Council, a majority to which Fatah will never accede. Moreover, the National Council is supposed to represent Palestinian factions outside the territories, and since it will be impossible to conduct elections to determine the allegiances of the Palestinian diaspora, any negotiation over the formation of the PNC will certainly lead to further deadlock.

## Conclusions

Part of the impetus for the national accord, as explained in its preamble, is a Palestinian desire to reject Israeli prime minister Ehud Olmert's plan to unilaterally define Israel's borders ("convergence"). However, the Palestinian factions have chosen the wrong path to stop the convergence plan. Instead of producing a reactionary document with no explicit recognition of Israel and a deliberate reaffirmation of Palestinian resistance, the national accord could have been far more forthcoming in its willingness to reach a two-state solution. If Abbas truly wants to use the threat of a referendum and the weight of Palestinian public opinion to alter Hamas's positions that have led to international isolation, a simple ballot initiative on recognizing a two-state solution would be a more effective approach. Such a step would compel Olmert to devote greater attention to bilateral negotiations before initiating unilateral steps in the West Bank.

The reasons for Abbas's endorsement of the national accord remain unclear. Perhaps he seeks to achieve consensus among the warring Palestinian factions at any cost, with the hope that even vague understandings on national unity and harmony between the presidency and the Hamas government will quell the violence that threatens to escalate into civil war. The national accord also forges a useful consensus on the need for advancing internal reform. However, if securing internal stability is Abbas's true intention, then he would be better served by issuing specific warnings to those engaged in violence and mobilizing a popular outcry against continued bloodshed. It is difficult to see how voting on a document negotiated in a prison that represents the lowest common denominator of acceptability among Palestinian factions will prevent rival gangs and security organizations from continuing their increasingly deadly feuds.

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