

## Introduction

In August 2020, during a global health epidemic, Israel and the United Arab Emirates announced cooperation, attempting to find a vaccine against the deadly virus. A few days later the two countries announced that they would sign a peace agreement between them. It was a visible move in the direction of trying to shape a new reality in the Middle East. The “Abraham agreement” was signed on September 14, 2020, between the two states at the White House, under the United States auspices.

The Israeli-Emirati political move provoked strong protest in the Palestinian system, with accusations against the Emirates of treason because the Palestinians had not yet fulfilled their vision of establishing an independent state. For the first time since 2013, representatives of all Palestinian organizations met and agreed to work together against the new agreement. This decision might have sounded like the beginning of a new friendship or at least a renewal of such a friendship, but it raised questions and doubts about the ability of the Palestinians to act together. This is mainly because there has been a political rift between the Palestinian Authority and Hamas since 2007, not to mention ideological disagreements that have been going on for decades.

The Israeli-Arab conflict, and within it the Israeli-Palestinian conflict, has been a constant topic of research writing for several decades. Despite significant changes in Israeli-Arab relations, the most notable of which are peace agreements with Egypt (1979) and Jordan (1994), and normative relations with other Arab states without signed agreements, the Palestinian question has not yet been resolved. For years, a leading perception among all those following developments in the Palestinian arena is that Israel is the most influential factor in this arena. It has exercised military rule in Judea and Samaria, also known as the West Bank, continuously since June 1967; it has established in these regions

a broad settlement of half a million Jews; and it has overseen virtually uninterrupted security and settlement in these areas since June 1967. This was also the reality in the Gaza Strip before August 2005, when Israel unilaterally disengaged from that area and evacuated twenty-one settlements where some eight thousand Jews lived. Since then, Israeli influence on the Gaza Strip has continued through control of the crossing points between Gaza and Israel.

Even if we accept this description as historical fact, it cannot explain the geopolitical situation that has existed in the Palestinian arena since June 2007, when Hamas forcibly took control of the Gaza Strip. Since then, Palestinian society, which has common historical, legal, religious, and traditional roots, as well as a shared ethnic character, has been divided—geographically, politically, and ideologically. Despite having a common national ethos, consisting of a dream of liberating Palestine (which is dominated by foreign rule, that is, by Israel), returning refugees to their homes, commemorating the martyrs, and freeing prisoners, the Palestinian system is split. The Palestinian Authority (hereinafter PA) controls the West Bank and Hamas is the dominant political power in the Gaza Strip.

This book asks why: Why has the Palestinian leadership and the central, major political forces failed to solve the ongoing rift between them? Why did nine rounds of negotiations from 2007 to 2017—most with assistance from Arab mediators—not end with an accord accepted by both sides? In order to answer these questions, a comprehensive study requires examination of elements such as: theories about negotiations; negotiation as it is known in an Arab-Muslim culture; an examination of the Palestinian national ethos; and an analysis of the negotiation process between the parties, namely the Palestinian Authority (based on Fatah elements) and Hamas.

This book is mostly about the negotiations between the Palestinian Authority and Hamas from 2007 to 2017. Previous studies in the Palestinian arena did not discuss this issue, which has a significant impact on Palestinians. My main argument is that personal, sometimes also organizational, interests and a constant mutual lack of trust between the parties on national interests prevailed and negatively influenced the outcome of the negotiations. Moreover, I claim that both parties share a common national ethos, based on common history, language, customs, linkage to territory, Nakba memories, and feelings of victimhood; but over the years, the PA (dominated by the Fatah organization) and Hamas have developed different visions regarding the future of the Palestinian society.

The first chapter of the book focuses on theories relating to negotiation. The general assumption is that negotiations between rivals with different cultures are difficult, and that similar negotiations between rivals from the same culture are less complicated. Can people belonging to the same culture, with the same national ethos, more easily bridge gaps between them—or is it precisely because of this cultural closeness that they can see the other side of the dialogue as a rival, despite sharing the same culture, making the possibility of agreement less likely? Are leaders from both parties really interested in reaching an agreement or do they lack the readiness and maturity to put personal interests aside, as well as ideological concepts of their movements' interests? Since both parties are Muslim, I find it useful to discuss principles of dialogue within Islam alongside Western theories on negotiation. Basically, Western scholars suggest seven different variables in negotiation, and Islamic tradition adds five more components. The full list includes: (1) alternatives, (2) interests, (3) options, (4) legitimacy, (5) commitment, (6) communications, and (7) relationships. Muslim scholarship, which goes back to the days of Imam ‘Ali, the fourth caliph in early Islam of the mid-seventh century (656–661), adds five more attributes: (1) knowledge, (2) leadership and responsibility, (3) variables, (4) patience and consistency, and (5) justice.

The second chapter discusses elements of the Palestinian ethos, shared by both sides. Following that, the question is how the secular and religious streams fail to bridge the gaps between them and unite forces to maintain the ethos. Following this, I argue that the geopolitical split that has existed in the Palestinian system since 2007 has created two Palestinian communities that differ in terms of vision and identity. This split has sharpened both parties' understanding that having political control within the Palestinian system is a prerequisite for resolving the Palestinian question (each side advocates a different solution). This necessity remains as a constant shadow in all rounds of negotiations between the Palestinian Authority and Hamas from February 2007 to October 2017. In fact, as of the completion of this book, it still prevents the two sides from resolving the rift between them—despite their shared Palestinian national ethos, which was developing throughout the twentieth century.

The rest of the book (chapter 4 onward) analyzes the negotiations between the parties from February 2007 to October 2017, based on the relevant theories on interactions between two rival parties. Usually, when two rival parties are in conflict, the expectation is to find a solution acceptable to both sides. Moreover, one may expect that both sides seek

the best alternative to a negotiated agreement (BATNA)—which is the leading approach to analyzing negotiations.<sup>1</sup>

Looking closely into the Palestinian society, the evolution of political powers started during the era of the British Mandate in Palestine, or the Land of Israel (Eretz Israel). The major emergence of significant power was in the 1950s, when young, educated people such as Yasser Arafat, Khalil Al-Wazir (Abu-Jihad), Mahmood Abbas (Abu Mazen), and others founded the Palestinian Liberation Movement (Fatah) in 1959. These founders had three goals: to offer new, young, and authentic Palestinian leadership to refugees scattered in Arab countries after the 1948 war; to establish a military force capable of fighting for the return of Palestine to its rightful people; and to create a unique national identity for the Palestinians.<sup>2</sup> It is important at this point to mention Fatah's development over the years as an instrumental organization that has learned to change policies and procedures in order to maximize its interests. This was the case, for example, in the mid-1970s, when the Fatah leadership proved that it could pursue a policy that takes into consideration a political constraint. A prominent example was Fatah's decision to stop carrying out terrorist acts abroad, and the unofficial agreement between Israel and Fatah in the summer of 1981 on a ceasefire in southern Lebanon. Another example was Arafat's decision to turn to a political channel, in parallel with terrorism, as early as the October 1973 war, which culminated in the Oslo Accords (1993).<sup>3</sup> Following Fatah's foundation, the Palestinian Liberation Organization (PLO) was established in 1964, and after June 1967 it became the umbrella organization of seventeen different Palestinian military (some also political) groups that have been established to liberate Palestine. The PLO is an essentially secular organization. Over time, the organization has become the sole and exclusive representative of the Palestinian people.

The second stage of that political evolution occurred in December 1987, when Sheikh Ahmed Yassin founded Hamas, an Arabic acronym for Islamic resistance movement (Harakat al-Muqawama al-Islamiyya). This followed a long period of preparation, in which Yassin established a large-scale organizational and social infrastructure in the Gaza Strip that provided education, health, and welfare services to the public, and sought to establish a society based on Islamic law (*shari'a*). The religious framework also had a military wing (such as the PLO member organizations) that carried out terrorist attacks against Israel. Since its establishment, Hamas has challenged the PLO's political hegemony, which has created tension between the parties up to the present.

The PLO and Hamas have become the major political forces within the Palestinian arena. They shared, at least until 1993, a common vision of liberating Palestine from the Jews but are split over how to do so. They also have different views regarding the nature of the regime and the character of Palestinian society. In 1996, a serious rift developed between the parties after Arafat, who was head of the PLO and the Palestinian Authority that was founded in 1994 on the basis of the Oslo agreement signed with Israel, ordered his security forces to act violently against Hamas activists who carried out attacks against Israelis. Hamas activists were arrested, tortured, and humiliated, publicly. Hamas's response came in 2007, when the movement seized control of the Gaza Strip and engaged in severe retaliation against the Palestinian Authority security forces and Fatah members.

After the 1996 conflict, the two sides maintained respectable relations, but Hamas never recognized the Oslo Accords and continued to be an ideological and political opposition to the PA. It formed a party whose representatives served on the Palestinian Legislative Council and represented Hamas's religious ideology. Throughout the second Palestinian uprising (*intifada*), the Palestinian Authority was ineffective in preventing Hamas's terror attacks against Israel. The death of Yasser Arafat in November 2004, who was praised by Hamas as a Palestinian national symbol and a member of a religious family, enabled Hamas to start challenging the PA's hegemony in the Palestinian political arena.

Since June 2007, the Palestinian arena has, in fact, contained two separate entities: the West Bank and the Gaza Strip. Abu Mazen is the elected Palestinian president (the last elections were in 2005), who has control of the West Bank, and Hamas is the dominant political power in Gaza. Ever since June 2007, there has been a geopolitical crisis between the parties. As a result, the two sides have had nine rounds of negotiations, trying to reach a reconciliation agreement that would allow them to achieve national goals. In three cases the mediator was Egypt, and in other rounds, mediation has been divided between Saudi Arabia, Qatar, Syria, and Yemen.

Finally, the Middle East region has witnessed turmoil starting in December 2010. These upheavals focused academic research on phenomena such as the struggle between Sunni and Shia, the development of the Islamic State, and the fate of the millions who became refugees due to civil wars. These events have led to a dearth of studies on the Palestinian issue. Studies have been published on various topics related

to the Palestinian system. For instance, Leech and Simanovsky discuss, separately, Salam Fayyad's plan to build the Palestinian Authority's institutions, Kanfani checks the Palestinian economy, while others analyze what led to the failure of the political process between Israel and the Palestinians.<sup>4</sup> As for Hamas, Nüsse offers her perspective on Hamas's ideology, and Gleis and Berti compare Hamas and Hezbollah. Others explore Israel-Hamas interactions during military clashes (Operation Cast Lead, 2008–2009; Pillar of Clouds, 2012; and Operation Protective Edge, 2014) and the ramifications of these collisions on the population.<sup>5</sup> None has analyzed the political rift between the Palestinian Authority and Hamas, as this book seeks to do.