

CARNEGIE ENDOWMENT

“LOOKING BEYOND ELECTIONS IN PALESTINE”

**FRIDAY, FEBRUARY 3, 2006
12:15 – 2:00 P.M.**

WASHINGTON, D.C.

PANELISTS:

NATHAN BROWN,
SENIOR ASSOCIATE,
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

ROBERT MALLEY,
DIRECTOR, MIDDLE EAST AND NORTH AFRICA PROGRAM,
INTERNATIONAL CRISIS GROUP

MODERATOR:

MARINA OTTAWAY,
SENIOR ASSOCIATE,
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

*Transcript by:
Federal News Service
Washington, D.C.*

MARINA OTTAWAY: Good afternoon and welcome to the Carnegie Endowment.

A few weeks ago, a couple of weeks ago when we started organizing this event, we knew that the elections in Palestine would be extremely important and they would be a turning point of a sort because there would certainly be – certainly confirm the importance of Hamas as a major player on the political scene. We did not know just how important that the election was going to be and how dramatic a turning point. We – I cannot say that we had the foresight of knowing three weeks ago what the outcome was going to be.

We are extremely fortunate to have with us today three people who are not only long-standing analysts of the situation in the Middle East, in particular Palestine, but in addition worked there during the elections, not only observing the elections but also talking to a lot of people while they were there. So they truly are bringing back fresh insights about the situation in Palestine. And I hope they will help us in trying to understand what we can expect looking beyond the elections in the area.

I am going to introduce the speakers briefly. We decided that this is really no main speaker in a situation of this sort. We will proceed in Alphabetical order, which pleases us very much because of course Nathan Brown – (inaudible) – Nathan Brown is going to be the first speaker as a result.

Nathan is professor of political science in international affairs at George Washington University but he is – we took him away from George Washington and he is now with us for two years. He has done a tremendous amount of work on Palestinian reform and Arab constitutionalism. In his most recent book, “Resuming Arab Palestine,” really deals – presents a research on Palestinian society and governance, which certainly is going to provide a very important background to this discussion.

Les Campbell, at my far right, is the director of the Middle East and North Africa program at the National Democratic Institute for International Affairs, and he has been in that position since 1996. Les directs a large team of people in different countries in the region who are directly involved in projects that promote democratic practices. He has overseen the expansion of the NDI programs in the Middle East by establishing nine permanent offices and of course seeing the size of the staff growing dramatically. And he has been – in addition, he has been observing elections in the area many, many times.

Finally, Rob Malley, last only because of alphabetical reasons, who is the director of the Middle East and North Africa program at the International Crisis Group. The organization has analysts based in Oman, Cairo, Beirut, Tel Aviv, and Baghdad who report on political, social, and economic factors affecting the risk of conflict in the

region. And like everybody else, the other speakers, Rob was in Palestine during the elections.

Without further ado, let me cede the podium to the first speaker. Nathan.

NATHAN BROWN: Thank you very much, Marina. The real benefit of going first is that you get to decide whether to stand up or to sit down, and because I lack Rob and Les, stature, I have decided to stand up. (Laughter.) They may not need to do so.

When we first started talking about doing this event a couple of weeks ago, not only was it a slightly different – it was a slightly different world, but it was clear that this was going to be a significant election, and I made the comment to both of them in sort of the e-mail exchanges before that looking at this election was like – I had this bad feeling of watching a train wreck in slow motion. And in fact that prediction was at least half wrong. There is nothing slow motion about this; events have moved extremely quickly, probably far more quickly than the various parties involved are really prepared, and sort of this collective gasp that we have heard essentially from all sides is a sign of that.

So was the rest of the statement correct? Is this a train wreck, whether in slow or fast motion? That is sort of what I want to talk about today. You know, a week ago, or week ago last Wednesday, when the election was actually held, I would say it certainly didn't have that appearance at all. Looking at the situation from the ground, I mean, there was a very different kind of atmosphere than sort of crisis – international crisis atmosphere that has prevailed since that time.

In Palestine itself, this looked like a – sort of an exciting event to many of those people who were participating in it, but Hamas, the party that emerged as a major victor, did not look from the ground up like some sort of pariah or something standing on the edge of acceptable politics at best, but a normal part of the Palestinian social and political fabric, a viable option that was being presented.

And so when Palestinians went to the polls, Hamas looked as reasonable – or could present a reasonable choice in a domestic context. For instance, if this was a vote, if Palestinians decided what they were voting on was on violence, Hamas was in some ways an attractive choice. All parties that were running election were observing the quieting with the ceasefire, but Hamas had an advantage on the violence front because it clearly stands against – or it's a more effective stand against domestic violence, internal Palestinian – on Palestinian violence. Most of that does not come from Hamas, but it comes from rival groups within Fatah.

If it was a referendum on other issues – clean government, for instance, again Hamas presented a fairly attractive choice of a disciplined movement with a clear anti-corruption agenda and a short but fairly at this point a positive record on municipal government management.

It was only if it was a negotiation on – excuse me, a referendum on a negotiated solution with Israel that Hamas was not the obvious choice to make. And in fact, if you look at it from that perspective, most Palestinians did not make that choice. The simple fact is that it's often forgotten, is 55 percent of Palestinians voted for political parties that favor a negotiated two-state solution. Forty five percent voted for Hamas, which opposes both negotiations, although their stand on that is a little bit mushy, and also opposes a two-state solution much more directly.

But Hamas was able to downplay this, downplay the extent to which the – this was a really referendum on the peace process, and it was a fairly easy effort to downplay it because there was no peace process to hold a referendum on. So that when pressed, for instance, on Hamas' stand on negotiations, they could have – say this is a non-issue in the campaign. There are no negotiations; there is no peace process – kind of a variety perhaps of there is no partner on the other side.

And Hamas, in fact, partly because it never held a position of national political responsibility, devised a variety of formulas and strategies in order to avoid answering tough questions. I mean, I began to see this even a year ago – this is a gathering in Ramallah where Hasan Yusuf, who is a major Hamas leader in the West Bank was asked point blank would you accept positions in the Palestinian Authority. And his answer was very direct and very clear. The Palestinian Authority has no authority, so the question is irrelevant.

And they were able to sort of skate along with these kinds of answers to questions, and essentially shift the focus back to the sorts of domestic issues that I'm talking about. So in the end Hamas won the election.

Well, what did it win control of? What does winning control of the Palestine Legislative Council mean? It is an irony in this regard that an international community that demanded clean elections got that, and an international community that also demanded, in President Bush's word, and empowered parliament, in some sense got it, and now we are dealing with the consequences.

The Palestinian Legislative Council has a number of different authorities. And I want to just sort of talk about them and talk about what Hamas can do with them. First, it can approve the cabinet. No cabinet can sit without having the confidence of a majority of the legislative council. It can control the budget. It oversees the budget and actually there is a Palestinian budget law that by regional standards actually gives the parliament some reasonable degree of oversight. And it also of course can write legislation.

Now, ironically, most Arab parliaments at least have these authorities on paper. The difference in the Palestinian case is that you have got a legislative council that at the times when it has functioned and has shown some independency from the president has actually been able to exercise some of these functions, at least to a high degree by regional, not necessarily by global standards.

So in a sense, the legislative council is very well situation to affect matters of internal governance. We don't really know how it will operate in practice, and I will get to that in a second, but there are certain things that the Hamas majority in the legislative council will not be able to do.

Number one, it cannot negotiate peace with Israel. The negotiations between Israel and the Palestinians are not run through the Palestinian Authority on paper. There is a Palestinian Authority foreign ministry that is set up in a sense you could say almost in violation of the Oslo Accords, but the core negotiations is supposed to be carried out by the PLO. Now, this is a fact that has been obscured for the last few years because the PLO and the Palestinian Authority are such completely overlapping bodies; at least they have been in the past. But there is few ways – and in fact the old legislative council – there is very few ways to kind of control this process.

The second thing that Hamas majority cannot do is to change Palestine's interim constitution to basic law. You need a larger majority in order to do that. And the third thing that they cannot do is to override a presidential veto. They pass a law, Abu Mazen vetoes it; they don't have the votes by themselves to override it.

And I should also say, in addition to these things, that there are a whole host of Palestinian institutions that partly because of sort of the wave of reform of the last few years has some autonomy. One example of that is the one we just saw, the independent collection – or the central election commission, which really does – by all accounts, did a fairly credible job and is fairly a political body.

There are others like those as well. The judiciary, for instance, is run by a judicial council that has an extremely large degree by regional and I would say by international standards. And according to many Palestinians almost an excessive degree of independence. So there will be certain parts of the structure of the Palestinian Authority that they will not be able to control.

But the interesting thing will be to watch the battle over certain other kinds of institutions and processes. You know, the security services, for instance, are really caught between the presidency and the cabinet and the ministry of interior, which needs the confidence of the parliament.

It is up to the president to select who the prime minister is, although the prime minister has to command the majority in the cabinet. And there are already some signs that Abu Mazen, or at least his staff, are trying to think of ways to use the powers that they have to push them to the limit and perhaps to use them to ways – use them in ways to constrain Hamas. I am not sure how effectively they can do that, but they certainly seem to be thinking of it.

Now, all of these things are – would be normal in any kind of the breakthrough transitional election, in which you have got an old governing party going out and a new reform-minded party going in. Or perhaps you could say in a mixed parliamentary

system. You know, you had similar questions being raised in France after the election of the socialists, but when you have a socialist and a socialist president and a right-wing parliament and so on – cohabitation.

But of course this is not France. There are other issues involved than simply the constitutional relationship between the president and the prime minister. Is there any way out of sort of the international impasse created by the fact that Hamas, a party that opposes a two-state solution now controls the Palestinian Parliament? Well, yes, there are ways out of the impasse. The question is whether anybody wants to use them or whether everybody wants to use them because there would almost have to be unanimity on the score.

Hamas has sort of thrown out some formulas that could be used. For instance, in a debate in Ramallah – it was televised on al Jazeera two days before the election, three days before the election. A Hamas representative was asked point blank: Do you – will you engage in negotiations with Israel? And his answer, like Hasan Yusuf the year before was brilliantly clear: We have not negotiated with Israel. We will never negotiate with Israel. However, there is this body called the PLO which we are trying to revive and join and so on and it will make its own decisions.

Well, what does this mean? Nobody quite knows what it means. The interesting thing is that – Washington I think – we think that if we take a problem like this and drown it with words that perhaps the people over there will stop hurting each other.

There has been so much verbiage, some of which I have been responsible for, that has come out over the last week or so – there is one comment I remember and I can't remember who said it, who said – but somebody who claimed if you favored negotiations with Israel and ran on that platform, you would have been shot. Well, that is not true. Fatah ran on the platform of negotiations with Israel openly, and the problem was they were the ones doing the shooting.

Can Hamas accept this kind of position, accept the other formulas that have been floated, for instance, accepting to be bound by Arab League declarations, accepting to be bound by a referendum, allowing the president to negotiate and accepting the outcome as long as it has been blessed by some sort of authoritative political structure. The short answer is that nobody knows. If Hamas is asked to directly repudiate its adoption of the platform of an Islamic state to follow Palestine, if we wait for them to do it, they may do so, but it may take a generation. We don't have that much time.

It seems to me that the important thing for the international community to do right now is to try exploring and nailing down some of those formulas about – referring to Palestine National Council, Arab League decisions, and so forth and so on. The alternative it seems to me – the only alternative that people have suggested is what is called a conflict that is absolutely rich in euphemisms, coordinated unilateralism.

Well, there is nothing coordinated about it. Coordinated unilateralism means law of the jungle, and if that is the only alternative, then I think it's probably incumbent on the international community to at least explore the possibilities of nailing down some kind of way in which Hamas can hold to its principles so dearly and still allow a negotiation process to continue.

MS. OTTAWAY: Thank you. Les? While we are changing speakers, there are some empty chairs here for those of you who are standing in the doorway if you want to move up.

LESLIE CAMPBELL: Thank you. Thank you, Marina, and Nathan, and thank you for inviting me here today. And it's nice to see several familiar faces from just over a week ago in Palestine and a number of members of the election observation mission led by President Carter and put together by NDI, the National Democratic Institute, are here today, including of course Nathan Arah (sp). But it's nice to see the rest of you. And, again, thank you to Marina and Nathan for inviting me.

I want to – I am going to stick to the democratization angles I think because as Marina mentioned in her introduction, I am the regional director for the Middle East and North Africa at NDI and have been for about 10 years. And in that capacity I oversee the programs that NDI runs in the Middle East, which are about democracy, the democracy assistance or democracy promotion programs. And that often means elections.

In fact, when NDI makes headlines, it is usually around an election. So if you read the coverage of the Palestinian election, for example, we were a little bit down in the page, but you would have seen an election observation mission headed by President Carter with NDI. We sort of make the newspapers then. And it's a big part of what we do, and it's an important – it's an exciting part, but it's actually, if I look at my activities over the course of a week, a month, a year, it is actually a small part.

In fact, we were looking at figures earlier today giving some figures to a reporter, and if we measure NDI's activities in terms of dollars spent, the election processes are just under 20 percent. About 19 percent, if we look at grant expenditures, about 19 percent of NDI's expenditures on election processes – just over 80 percent are on things that don't make the headlines, but things like strengthening parliaments, trying to work with political parties on volunteer recruitment, message development, you know, database issues that might help them actually keep track of their members – working for civil society for example.

NDI for years encouraged what we called domestic election monitoring in the Palestinian situation, and I think we are all proud to see that an organization that NDI helped to start in '95, '96, civic forum was sort of chaired I think – quite an effective Palestinian domestic election monitoring coalition with civil society coalition.

So NDI is also involved in a number of the sort of day-to-day democratization activities. And the reason I mentioned that is that I want to frame my comments about the Palestinian elections and some of these sort of longer-term democracy type issues.

But before I do that I just want to address a question that I think two or three people asked me just before this event started formally. And the questions were or the question was were you surprised by the result? I think we saw some headlines in the newspapers that suggested that people – that in the administration that we are following these issues were surprised by the result. And I think my answer would be not really. I don't think it was very surprising.

I think the number of seats that Hamas ended up winning I think was surprising. I don't want to pretend that I had a crystal ball and I said, oh, they will get 80 seats, and you should all know that. I didn't know that; I don't know if anyone knew that. But polls had showed Hamas and Fatah being close for weeks. These are public domain polls, not secret information. I mean, these are being released into the public domain every day.

The two parties were close. What we knew from on the ground – and NDI has had a presence in the West Bank and Gaza since the early '90s. What we knew was that Fatah voters, potential Fatah voters were far less motivated than potential Hamas voters. In fact, what we kept saying to people who asked was, you know, it looks like the Palestinian population, in theory, the whole population is probably divided in almost about half. But when it comes to likely voters, probably 90 percent of the likely Hamas voters will actually go and vote and vote for Hamas, whereas Fatah will be lucky if 60 percent or 50 percent of their potential voters go out and vote for them.

So what we kept saying, and I think we also said it to the observation delegates is we said we don't know how it will turn out; it could be close. But Hamas has a huge organizational advantage, and they have the motivated voters. So that was one thing.

The second thing that I think we knew from being there on the ground, was that – as you may know, but I'll mention it for those who are not as familiar with the arcane parts of the Palestinian political system, the system was broken in half. There was a nationalistic proportional representation list and there was one ballot for that list. So you could vote for the Fatah list, headed by in this case Marwan Barghouti, actually, although he is in jail. Or you could vote for the Hamas list, or you could vote for a number of smaller party lists. That was one ballot.

The other ballot was for local candidates, and they have a multi-member constituency system where you might – for example, Jerusalem is an easy one because they had four seats. There were four seats for Jerusalem. You could actually cast four votes. So you would vote for the four people, the four top people that you liked.

And Hamas was masterful in terms of tactics. What they did is they never ran more candidates than seats. For example, example, in Jerusalem, there were two seats set

aside for Christians, there were two Muslim seats. There were exactly two Hamas candidates, and those two Hamas candidates won in Jerusalem. Whereas there were in Jerusalem – I don't know the exact number but eight, 10, 12 Fatah candidates for the same two seats. And so Fatah supporters split their votes among different people. They may have voted for their cousins or a local well-known person. And this happened all throughout the West Bank and Gaza.

So we knew that Hamas voters were more motivated, and we knew that Hamas was far more disciplined and likely to do better within this district voting. And so it wasn't a terrible surprise that they won, but I think most of us were taken aback by the size of that victory. I think those two sort of things – anomalies of the election system conspired to make the victory quite dramatic.

Having said that, I'm going to try to characterize this election through this sort of democracy lens and I'll use four main points. One is I'm going to say that the election, the Palestinian election of 2006 represents somewhat of a missed opportunity. And by this I'm going to address Hamas. In 2002 and 2003, NDI, our sister organization, IRI, and another organization, IFES, the International Foundation for Election Systems, did what we call a pre-election assessment.

We actually anticipated then appeals to the election in 2003. I think the other thing that will flow through my comments is that Palestinians should have had a PLC election in 1999. That was when the term of the PLC expired. He was elected in January of 1996. He was supposed to be for a three-year term. There should have been an election in 1999, should have been another one in 2003.

But we did a pre-election report in 2002 in anticipation of 2003 election, and we felt at that time there were two big issues: freedom of movement which continued to be a large issue for this election. We said that for a free and fair election, a proper election to occur – Palestinian parties, voters, election workers had to be free to move, that Israelis couldn't stop their movements.

The second thing we said was you have a party in the Palestinian territories, Hamas, which advocates violence, and which is committed to the destruction of a U.N. member state, and yet they were making noises even in 2003 like they would run in a legislative election.

We said from a democracy vantage point, there should be some kind of restriction, that it should not be possible for a party to enter the political system, which should be about the peaceful achievement of political ends, enter the political system while simultaneously or concurrently actually very much advocating violence, in fact, being involved in violence and advocating the destruction of Israel.

So we suggested there are two ways of going about this. One would be a political party law, which the Palestinians have not passed a party law, which would specifically say that violence and politics should be two different things, or a more voluntary code of

conduct where all parties that took part in an election contest would agree voluntarily that they wouldn't put forward candidates who were directly associated with violence.

So there was a missed opportunity. And some of the hand wringing that is going on right now in Washington and around the world I think could have been avoided had these questions, these very thorny questions been addressed several years ago. So that is one way that I would characterize this election is in a sense being a result of a missed opportunity.

The other missed opportunity, as I mentioned, were there could have been two previous elections – should have been – and I'll get back to that in a second – in 1999 for sure and probably in 2003. Fatah would likely have done well in one of those – or at least they wouldn't have been defeated in, say, 1999, but they probably – Hamas would have done very well if they had run and there could have been a warning sign, and there could have been all sorts of opportunity for Fatah and other Palestinian moderates to get their act together. So a couple of missed opportunities.

Secondly, and characterize this, in my opinion is we saw an example of what happens when democracy takes second stage to many other imperatives and issues, in this case, in the Palestinian case, the peace process. One thing – I don't know if people got a chance to look through the actual list of elected candidates. Most, unless they were on the party list – and a number of the Fatah leaders were on the party list, most of the leading figures, Palestinian political figures that were involved in the peace process, if they ran for the district seats were defeated, and they were soundly defeated.

When people had a chance to sort of put – to judge them, to hold them to account for their performance of the last 10 years, they defeated them. And the figures that were defeated were often the people who were most closely associated with the international attempts to get the peace process back on the road.

My argument and my criticism based on that is – and I have been saying this and I think Dan Brumberg, who was associated with Carnegie at the time, and many others of this said the same thing, is that there was such a focus on individuals. Yes, Arafat, when he was alive – when Yasser Arafat passed on, his successors sang, you know, this democracy thing is kind of inconvenient; it messes things up.

And I have had U.S. ambassadors say the same thing to me. I won't name them now – saying, you know this Palestinian democracy thing seems to complicate everything. Better that we strengthen one person or one group and kind of cut a deal with that group and then we think they can sell it. Eventually they will sell it. If we give them a good deal and if we support them, they will sell it to their population.

Well, the people that they imagined would sell the deal were soundly defeated by the Palestinian population when they got a chance. So, again, that's maybe another missed opportunity, but – and I'm addressing this because I think there has been a lot of

criticism of democracy promotion or democracy assistance saying it led to this bad result of Hamas getting elected. I think my argument would be there wasn't enough attention to democracy and the democracy assistance in the last 10 years with Palestinians; instead, it was always about something else. And then when we had a very clearly good election, Palestinians passed their own verdict.

Thirdly, I characterize it. I say that elections do matter, but they are only part of the question. Nathan mentioned, but I will say it I think more strongly. As a person who works for an organization that leads this whole field of election observation, and as a person who has looked at many elections in my last 10 or 12 years, the Palestinian election was without doubt a beautifully run election. We cannot pick fault with it in almost any way.

There was an independent election commission, which did a wonderful job under horrible conditions, the conditions of occupation, conflict. But even if there weren't an occupation, even if they weren't organizing this election under the gaze of the Israeli military, this still would have been a well-run election run by people with integrity and who took advice and learned from others' mistakes and ran a good election.

The parties behaved themselves remarkably well, and it was a hard-fought election. I think all of us who were there on election day saw people standing at the gate of the polling place, usually Fatah and Hamas, with voters' lists, checking people off as they came in, going in to check to see if they had voted, going to their homes and bussing them back – I mean, classic get-out-the vote techniques by both parties. It was a well-run hard-fought campaign.

It had problems. I don't have time to go into them. There were glitches and there were problems here and there but we characterized it in the Carter Center, NDI delegation as a very well run campaign – pardon me, very well run election.

So elections do matter, but they are only part of the picture. The meaning I think of these elections will depend very much on what comes after. So how meaningful were these elections? Well, they have caused a bit of an earthquake around the world but as Nathan has already said and I suspect as Rob will say in a minute, we don't know what it all means yet. We don't know how Hamas will act, we don't know how they are going to be incorporated into the governing system. We don't know how the PLC will behave.

We don't know if Hamas is going to try to maintain this sort of ability to be simultaneously a violent organization and a political organization, and we have no idea what Palestinian governance will look like. Palestine could easily descend into sort of a kind of minor civil-war type situation.

So we don't know what these elections mean, but I would also say – and I think that this I'm sure will come up in the questions – elections aren't the only thing. Democracy doesn't just – elections do not equal democracy. Without institution building, without attention to elected members, without attention to the things that good

governance and democracy can bring, elections can be quite hollow. And this could be one of those elections that we may look back and say, my gosh, it was a clean election, but look what it has wrought. So I think elections are part of the picture.

The fourth thing I want to mention is just an opinion on the effect of democratization throughout the region. I 'm talking about the Arab Middle East. First of all I think there is one very good effect. I have said to many people that one of things that I find most difficult about my job when dealing with Arab – small D – democrats or even Arab regimes, is confronting the double-standard argument, the argument – you have all heard it – roughly goes the United States seems to want one thing for one group of people and another thing for another group of people. You know, the United States – other ways that the argument is made is that the U.S., when it finds it convenient, props up dictators and authoritarians, but sometimes it sort of puts pressure on some countries to democratize but those are usually the less strategic or less important countries. There is sort of a double standard that's applied. The double standard is often referred – Israel is often part of that formulation of a double standard.

I think there is not as much truth to that as people think in the region, but it's something that I have to confront. Well, we just went through an election where we had an independent delegation but it was funded by USAID. It was clearly something that fed into how U.S. policymakers view the selection. Well, we called it like it was. We said very clearly the day after the election, Hamas won clean and fair. And so a U.S.-supported democratization program, this election observation mission, helped, along with other delegations, cement Hamas' standing as the clear winner of this election. Well, I know personally that I will say that to a few people around the region, saying, you know, don't accuse us of double standards; we call it like it is. So I think that's positive.

Another thing that I would mention is that we now see that Islamic parties are powerful, although I would argue, well, we've seen that in Egypt recently as well within Muslim Brotherhood, but I would argue that Islamic parties are powerful outside the political system. Hamas was very effective two weeks ago – extremely effective, we all know that. They provided social services, they were well known, they were well respected within Palestinian society. What I'd like to see, and I think the effect on democratization that I'm interested in, is will Hamas, now that it's sort of implicated in governing, will they continue to be as effective, as powerful, and as influential, or will that influence maybe start to wane now that they have to make tough decisions?

I would end by saying two things. One is that we're going to see more of this in this year – this coming year there will be elections in Bahrain. Pretty good guess that Al Wefaq, which is the leading Shi'a Islamic party in Bahrain – pretty good guess that they will do very well in parliamentary elections. They boycotted last time, they're running this time; they could get half the seats in the Bahrain parliamentary election. Isla (sp) from Yemen is running in local elections this year. They could see big gains in local elections. I don't think they'll dominate but big gains.

And I think we all know in this room what would happen in a truly open and fair election in Jordan and Egypt. In other words, if Jordanians and Egyptians had an election that was run to the same standards as the Palestinian election, it's a pretty good guess that the Islamic parties, the Muslim Brotherhood-oriented parties in both Jordan and Egypt would win those elections as well.

Well, what's the answer to this? I'll take 30 seconds to try to predict some of the questions. The answer? My answer would be, number one, stay the course. These are difficult results to handle in some ways. I think that they shake up what we think of the world. I think a lot of Palestinian moderates, secular people, are scared of what the Hamas agenda might be, the social agenda, but I think we all need to stay the course. Only successive iterations of free and fair elections will lead, I think, to the sort of moderation of all political parties and eventually will allow the moderate center, or the Third Way, as the Palestinians call it, to come up.

Second one is that I would increase democracy assistance to other fields in addition to elections. As I mentioned, parliamentary strengthening, civil society work, these are all part of the democracy portfolio, as carried out by USAID and the State Department. But these other areas of democratization are just as important as elections. And I mentioned earlier that about 20 percent of NDI's work is elections. That's maybe a good percentage. It's important but it's not the only thing that we should do.

And finally, I would suggest that there are a number of framework issues that we have to address. As I mentioned at the very beginning, there was a missed opportunity. I would argue that it wasn't right that a party – that there was no entry fee for Hamas. They entered the political system without cost. The framework, because there really was no framework, no party law, no way of holding them to account, allowed them to enter the political system without cost. I think we all need to think a little bit more about things like election law, party law, party finance, and other things, to set a framework that actually works for all parties, because I would argue that what happened in Palestine actually benefited Hamas. They ended up getting a free ride. They were not constrained, as other parties were, including Fatah, who had to deal with a variety of other things. So framework issues I think are important in the next several years.

Thanks.

MS. OTTAWAY: Thank you.

Robert?

ROBERT MALLEY: Thank you. And first let me express my very deep gratitude that so many of you have chosen to come here, even though just a few floor up Dennis Ross and Aaron Miller are debating the exact same issue, and if you didn't choose it but you simply didn't know they were there, no need to tell me. (Laughter.) When I was working with Aaron and Dennis, people used to suspect there were tensions and lack

of coordination within the team, but even by our sorry standards, this is ridiculous. (Laughter.)

But to the topic at hand. There is nothing like a democratic election to shake one's faith in democracy. (Laughter.) And mind you, I think it's pretty safe to assume that when President Bush and the administration launched this effort of democratization in the Middle East, this is not precisely the outcome they had in mind. What they had in mind – and I think it's the way Mahmoud Abbas Abu Mazen sold it to the administration was that Fatah would do well, would win, and Hamas would be a minority party in an institution whose laws it would therefore have to abide by – in other words, laws regarding disarmament in particular and other aspects having to do with the existence of an armed militia. And the notion was also that by defeating Hamas it would send a signal to the region that despite all the supposed strength of Sunni extremism and radicalism, secular national forces in a free and fair election could beat them. So much for that hope.

So this does represent for the United States a headache, but I would argue it's an equal opportunity headache and it's an equal opportunity opportunity, if you will. The migraine is spreading to all. It's not only the United States. It's obviously Israel, which has to confront a very delicate situation, it's the Arab world – and we're seeing it now in the sometimes contradictory and confused statements coming out of Cairo or Jordan or Riyadh, but it's also, and perhaps principally, a headache for Hamas. Hamas didn't expect this victory – and I'd argue it didn't want it – and right now it's not quite sure what to do with it. And I think if one focuses on that point and tries to understand what that means in terms of how Hamas may behave in the future, the outcome in fact may present more opportunities than what people were expecting – in other words, a close Fatah victory – and more opportunities certainly than where we were a month ago. Let me try to explain why.

Hamas was hoping, as I said, to come in a strong second – 40 percent perhaps of the seats in parliament. That would have allowed it to take cover behind others, to take credit when things went well, because if things went well now and they weren't going well when Hamas was out of government, they could take credit for that. They could heap blame on the Palestinian Authority for anything that didn't do well, and they could avoid responsibility. This could have been the perfect situation for them to sit back, promote their agenda of internal transformation of Palestinian society, not take any risks and not take any decisions.

Well, no more, because paradox number one is that Hamas' victory constrains it more than would have defeat. It is more inhibited now that it is on the front lines that it would have been had it been on the back bench. The more power it has, the less independence it has; the more dependent it is on Israel, on the international community, on Fatah, on Abu Mazen.

Now, why is that? I mean, it's an obvious reason but it's worth stating. Right now Hamas has to prove that its way worked. It can't prove that the other way doesn't work anymore. And it wants to prove that what it campaigned on most forcefully, as Les

was saying – reform, no more corruption, better government, better delivery of services – that it can achieve all that now that it's in power. How could it do that if tomorrow violence resumes? It can't. So it has to prove that it can succeed, and to succeed it has to maintain quiet. It has to also reassure Fatah and the security services, which today are much more angry, much more worried than they would have been in the case Hamas had come in a close second. It can't do that if it pursues aggressively its agenda.

And it has to provide aid for the Palestinians and it has to provide succor to the Palestinians, and it won't be able to do that if the international community turns its back. So on all these fronts they have more responsibility and a greater inhibition than they would have had had they won.

Paradox number two, which is corollary to this: President Abbas has more influence and power today, if he plays it well, than he had before the elections when Fatah was in a situation of quasi-monopoly, or that he would have had had Fatah won the elections in a close race. Why is that? We saw how ineffective he was before, and it was not all of his own doing. He may have had drawbacks, and people know those faults, but it was a situation in which he was dependent on Fatah, he was dependent on the good behavior of Hamas, he was dependent on the good behavior of Israel, and he was dependent on U.S. support. Right now the eyes are turned back on him. He's the person that Israel wants to deal with rather than deal with Hamas. He's the person the United States wants to deal with rather than deal with Hamas. He's the person Hamas is dependent on to make sure that calm prevails, and he is also the guarantor, in the eyes of Palestinian public opinion, the last rampart against a civil war, which I don't think should be excluded at this point.

Paradox number three: The United States can achieve more at lesser expense under this scenario than it would have, again, if Fatah had won in a close election or that it did when Fatah was in power. What would have happened had Fatah won? Let's just play out the scenario if Fatah had gotten the short victory that people expected it to get. Do people expect that Hamas would have been disarmed when Abu Mazen was not able to disarm it, when it was not represented in parliament, now if it had 40 or 35 – 40, 45 percent of the seats he would have been able to disarm them? Fatah would have been able to reform when we saw the division and the disunity that was played out obviously during the elections? Would there have been a peace process? I think it was a point that Nathan was mentioning. There was no peace process before, and the instincts in Israel were all toward unilateralism and other disengagement. How could one have closed that gap between Abu Mazen's campaign and conviction that you needed permanent status negotiations, bilateralism, and a permanent peace agreement? And the sense on the Israeli side, which I don't think would have been weakened by an election in which Hamas performed well, that they had to go their own way because they didn't trust in the – they didn't have confidence in the Palestinian partner. And in this scenario, Hamas would have been more powerful than it was before the elections, and so I don't see why people would have expected things to suddenly become far better on the road towards the roadmap.

As I said, today Hamas is under more pressure, more constraints, and more inhibitions of its own making – I think the lessons taught us one lessons, among many, which is that Palestinians in general – and I think this is true of people around the world – don't give in easily to outside pressure and when people try to compel them to do things. The international community clearly indicated to the Palestinian people that if they voted for Hamas, consequences would ensue. They voted for Hamas anyway, clearly knowing, because it was never hidden from them – and in the barrage of publicity in the last days before the elections, we all witnessed a clear message was sent to the Palestinians – vote for Hamas, consequences will follow – they voted for Hamas anyway. When the pressure comes from the outside, particularly in the case of the Palestinians, who have felt so humiliated and so alienated from the international community over the past decade, it would not work, and therefore those inhibitions – that compulsion coming from the outside is much less effective than when it comes from Hamas itself – when it realizes, not because of outside pressure but because of the position it's in, that it has to modify its behavior.

Even on the peace process there is perhaps more hope under this scenario than there would have been under the opposite. Again, a paradox – counterintuitive. But I said earlier that Abu Mazen's agenda, which is one of bilateral negotiations and a final agreement, was not at all congruent with the one that certainly Ariel Sharon had and that Kadima appeared to be heading towards. That's not as true with Hamas. Now, I'm not saying that Hamas' vision of peace is the same as Israel's vision of peace, but in the short term we're not talking about a permanent status agreement. I don't know anyone in Israel or in Palestinian who believes that that's on the horizon for the short term.

But what Israel is thinking of is unilateralism, disengagement. What Hamas is thinking of is a long-term hudna – ceasefire – all unilateral decisions they would make, and their long-term truce. Certainly there would be tensions between the visions of the two but there is more – paradoxically more of a match, more congruence between those two visions than the one that Abu Mazen had and that presumably the next Israeli prime minister would have.

Now, in order to make this work it's going to take, as I said, from the outset hard-nosed pragmatism and flexibility on the side of all. Everyone is going to have to show some flexibility, and I think the U.S. can do it without bending any of its core principles. What, in my view, should be the core interest – the central interest of the United States right now? Ensure that violence doesn't resume between Israelis and Palestinians because that would have catastrophic consequences for all. Drag the Islamists and those who support Hamas into the political process. That's the predicate of the administration's democratization agenda, that when people can vote, when they have another avenue for expressing their views, they will gradually move away from violence and extremism.

And third, force Hamas to make difficult choices. Force Hamas to make the choices that it hasn't made so far and that it would have been spared from doing had it lost the election.

I'd put it this way: You've got to avoid two extremes. One extreme is to make it too easy for Hamas to join the – to legitimately join the political process, the government. And the other one is to make it too easy for Hamas to step away and to walk away from it. If you say tomorrow, we're going to treat Hamas the way we treated Fatah – which nobody is advocating, at least not in this town, then clearly that would be giving a blank check to Hamas, legitimizing their ideology, and all at no cost. And that I think would be a mistake, to engage Hamas, to have talks with Hamas without Hamas having to be forced to change its outlook and its behavior.

But on the other hand, if you tell Hamas that we're not going to support any government supported by Hamas if Hamas, the organization, the party, doesn't tomorrow declare that it renounces violence and declares that it recognizes Israel, you're going to unite all of Hamas – and I suspect most of Palestinian public opinion – on the view that politics was a trap, the United States talks about democracy but doesn't mean it, it sets conditions. Hamas will walk away and the Palestinians will not blame them for doing so.

You want to create tension within Hamas, and perhaps between Hamas and its constituents by setting the bar at the right level – a tough bar but not an unrealistic one, one that at least some members of Hamas are going to find appealing, and that some of the more pragmatic, the political base of Hamas, those who just ran in these elections and won these elections, are going to be arguing to the more extreme leadership that it's a path worth pursuing.

And I would reiterate that those who believe that by pressuring Hamas to accept those two conditions that I mentioned – renouncing violence and recognizing Israel – those who believe that those are obtainable right now I think are living an illusion. Again, I said earlier, the elections show that the Palestinian people, they were reacting to, of course, lack of reform corruption, mismanagement. They also were reacting – and I'm convinced of this from my conversations with them – they were reacting to the sense that they had been dispossessed of self respect, of self worth by a series of conditions and attitudes that the international community had put to them in Israel over the years. Rightly or wrongly I think that is fundamentally the Palestinians' sense right now, that they have been put in this box and humiliated and a vote for Hamas was a vote of defiance against the peace process as it had been conducted against the U.S., against Israel, and against those in the Palestinian Authority who had run the negotiations. So they are not about to waste that capital and say tomorrow, we surrender on our ideological core beliefs and recognize Israel and renounce violence – two things that I think most Palestinians in their heart are not – don't think are legitimate requests.

But so what does it mean, practically speaking, for the U.S. in the weeks and months to come? Number one, as I said, don't talk to Hamas; don't engage Hamas until Hamas does these things which I say it won't do tomorrow. There is not need to talk to Hamas, and we would be forfeiting leverage and legitimacy and a standard that we have. So I would say until Hamas does what it needs to do to no longer be on the list of terrorist

organizations, there is no need to talk to them, and frankly I'm not sure Hamas would be comfortable with those talks if it entailed discussing those requirements.

But even if you don't talk to Hamas, don't condemn any government that Hamas supports from the outset on the grounds that Hamas hasn't done its ideological modification – alteration. Judge Hamas on what it does – chiefly on what it does. Does it maintain the truce? Are the ministers who are appointed to the government in the key positions – finance, prime minister, interior minister – are these people that we can do business with or are these, to put it in a familiar term, card-carrying Hamas members? What's the government platform? Does the government platform – not Hamas' platform, does the government platform say that the PA continues to abide and acquiesce in agreements that were entered into in the past? Does the government platform say that they will continue to work on a peaceful path towards peace with Israel and negotiate with Israel? Those are the tests that I think should be – those are realistic tests. These are the tests that are going to put Hamas in a difficult position because it's easy for them to say they're not going to change their ideology. Their ideology was just validated by the elections. It's much harder for them to say that the Palestinian government is no longer going to deal with Israel. What are they going to do about environment, sewage, tax collections, and a whole host of other issues that entail direct contact between Israel and the PA?

So put Hamas in a position where it has to say yes or no to practical, concrete demands, not to ideological demands that's going to make it very easy for the hard-line leadership to say, this was a fraud to begin with; we've got to leave. They're asking us to become who we are not in order to participate in politics.

These are not words that I think are very popular today in Washington, even though I think that, as I said, they maintain consistency with our core principle, which is you don't deal with terrorist organizations. But let's also think of what the alternative is. As I said, if Hamas feels that it's in a trap, that it's been set up and confronted with demands that it will not meet without betraying its core beliefs, it will be easy for it to revert to the familiarity that it – and to the conditions that made it prosper in the first place – charitable donations and help to the Palestinians, social network, and perhaps violence. They won't have the constraint at that point of government anymore. If starved of cash, alternatively they may turn to Iran. I'm not sure that's an outcome that we should look at as the most beneficial to all.

If the Palestinian Authority goes bankrupt, if the United States, the Europeans and others, mainly the Europeans, decide – and the Arabs – that they're not going to give money to the Palestinian Authority anymore, who is going to pick up the daily financial needs of the Palestinians? Theoretically – I mean, this is an anomaly – theoretically the occupying power has that responsibility. I was in Israel last week right before – and spoke to Israeli officials. They know every well this is a dilemma, and I think if you read the Israeli press right now, the defense ministry has been the most adamant that the tax revenues that are collected from Palestinians should be given back to the Palestinians. And I suspect there are many in Israel who will say, if the PA collapses – which is one of

the possible scenarios if the international community sets standards that are unattainable – if it collapses, then Israel is going to be confronted with the choice of either letting the Palestinians free fall, in violation of its international obligations, or of subsidizing and occupation that it has been generously spared the need to do so, so far.

And a final point about the alternative. Poverty and despair is what got Hamas to the point it is in right now. Let's not deny it; this was a vote because Palestinians are poor, they feel dispossessed, and they feel that their conditions are only getting worse. Does anyone think that additional poverty, additional despair among Palestinians, is suddenly going to turn them to vote for Fatah, or for someone even more extreme than Hamas?

I don't want to sound naïve. I think there's more reasons than not for assuming that this is going to go south. Hamas' hunger for power may be greater than what I was hoping – than what I was projecting earlier in that scenario. Fatah's desire for revenge may be more powerful than can be sustained right now. Domestic pressures here and in Israel may be too great to chart a path of pragmatism and hard-nosed realism.

But for so many years I've heard – when I was going to Israel and hear from skeptics about the peace process – people who said, how could we trust a peace process when those people who are talking, the nice-sounding people, don't represent what Palestinians really think? It's only when we're going to get the hard-line people who are going to be prepared to make peace with Israel. Just as people say only Sharon and the hard-line in Israel, they needed to be on board to make peace with the Palestinians. Only when those people will be on board will I really trust that Palestinians can make a deal that they will live with, that they'll stick by, and that they'll believe in. So why not today see that with Hamas in power at least they're confronted with that responsibility. If, through some miracle, we moved in the next few years towards permanent status negotiations conducted by the PLO with Israel, what position would Hamas take? Let's put them in that situation rather than have an agreement that would be signed by people who are not authentic, not representative, and couldn't carry the vast majority of Palestinians with them.

And second of all, the second theme that I've heard, in Washington, particularly over the last two years, is what I said earlier: Democratization is way to give the radicals, the extremists, another option. Nobody, I think, expects that the radicals and the extremists, once they vote, are suddenly going to become moderate. It's a process, and we're into that process now, and let's give it a chance and see if it can succeed. We shouldn't be naïve. I think everyone should realize that the risks of either collapse of the PA civil confrontation because Fatah and Hamas, or any other scenarios, are more likely than the more optimistic scenario I just put on the table. But at the very least I would say let's not condemn this experiment before its even begun.

Thank you.

MS. OTTAWAY: Okay, thank you very much to all three speakers for excellent presentations, and for really having forced us all to think beyond the immediate reaction, the immediate statements that we have heard in this last few days, and really reflect on how truly complicated the situation is, but also how not completely hopeless it is. The fact that all speakers left a ray of hope essentially – the way that I would put it, that if we can get through the short run reasonably well, there is in fact some hope for things – for some solution in the long run. I think that was a very important message, together with the message of not condemning democracy because it's not democracy that created Hamas. Hamas existed before and it would continue to exist no matter what the U.S. does in terms of democracy promotion.

Let me open up the floor for discussion. Please identify yourself. And I have a thousand questions here. (Chuckles.) Yes?

Q: Thank you. Ron Baygents with Kuwait News Agency. Could you briefly comment on how this might affect the Israeli elections in late March?

MS. OTTAWAY: Okay, I'll take a couple of more questions you had. Yes?

Q: George Hishma (ph) from Gulf News. I have two questions, but they're related. One is who set up – was it your idea, the MDI, or did you help the Palestinians to have this two-system election process, or a national and a district system? Can this be adjusted in the future? How do you go about this?

And the second one, will the idea of having the PLO do the peace negotiations – as it is responsible; we all know that – would Israel buy that now, and will Hamas do what it does locally in the Palestinian areas?

Thank you.

MS. OTTAWAY: Okay, thank you. One more. Let me – and then I'll go to the back later.

Q: John Blackton from Creative Associates. I'd like to ask you a question about the reports that came out right at the time of the election that you say the U.S. government put their thumb on the scales a little bit with what appeared to be some assistance to the Fatah campaign. I'm not interested in your comments on the veracity of the story, but rather how it's playing out. Is this is a small tempest in a teapot that will pass in a week because essentially it's no more than the U.S. government living up to its stereotype, or did we in some way compromise in a more serious way the integrity of U.S. government democracy promotion efforts, both in Palestinian and in the region?

MS. OTTAWAY: Okay, whoever wants to start.

MR. CAMPBELL: Maybe I'll start maybe with an easy question first, which is the question about where the election system came from. It's a good question because

the system that was chosen had a big impact on the outcome. It was the Palestinian Legislative Council that chose the system. I think there was both European and some American involvement in terms of facilitating discussions, but for years there had been actually discussion about a system that would encourage the development of small parties and alternatives – sort of a third way. In fact, there was a list that ran called The Third Way List, headed by Salaam Fayad, the former finance minister. It included Hanan Ashrawi. Ironically, the small parties did poorly. The Third Way got two seats, some small leftist parties got two seats, and Mustafa Barghouthi had a list; he got two seats. So it didn't work out and, ironically, I don't think it was intended by anyone – they system played into the hands of Hamas.

But I don't think you can use an election system to engineer any given outcome. I don't think in the end the election system mattered. I think Hamas could have done well under any system.

And maybe I'll try to answer – because in the eyes of democracy organization, and even though the story you refer to had nothing to do with us, I think as an observer – and Rob and Nathan may want to comment on this – it struck us I think maybe that the story was a tempest in a teapot in the international realm, but it has lots of legs in Palestine. I mean, it was repeated in the Arab press, it was on the streets. I mean, my impression was that it had, for what really was a minor story – and I think most of us probably read it and said, this is not a big deal, but I think it was actually a fairly big deal in the context of the election. At least that's my anecdotal thinking.

But others can respond.

MR. MALLEY: First, you know, I described the elections – as people have – as an earthquake. And I think they did throw all the pieces of the puzzle in the air. In the case of Israel, they seem to have fallen back exactly in the same place. I think it's ironic that the polls in fact haven't shifted much. If anything, the polls after the election seem to have given a boost to Qadima, and to have hurt Likud's chances even more. I'm not sure that it will remain that way, but I think it's for the following reason.

Right now, Israelis don't have any answers. They don't know how to deal with Hamas. But certainly, the notion of negotiations – and the Likud was running on the notion that unilateralism is a bad idea. We're prepared to negotiate, but it needs to be a tough negotiation. They're not going to negotiate with Hamas, and Netanyahu is certainly not going to advocate that. The Labor party has also advocated final-status negotiations, and in case that doesn't work, unilateralism. Final-status negotiations with Hamas also doesn't seem to be a very – a winning platform.

So by default, even though Qadima may not have the answers, but Qadima's campaign has been built on the memory of Sharon and the notion of a center, whatever that center stands for. At this point, it seems to be able to still represent that inchoate, unspoken majority. What will happen if things deteriorate in the Palestinian territories is another matter. But at this point, I think if I were Netanyahu, I'd be pulling my hair if I

had some, because you know, this is his opportunity. And yet, at this point, it doesn't seem to be registering in the polls.

One question – one other comment on the issue of the U.S. and the story about U.S. aid – and whatever is the fact, we heard from senior Fatah officials at the time – because all they read was the Arabic rendition of what had happened – they had the notion that the U.S. had actually paid directly Fatah members. And so, a senior Fatah representative was saying, I haven't seen that money. I want to know who got it and where it went. (Chuckles.) So I think it did play, but the main point is that again, the notion that you could buy Palestinian votes by either threatening to withhold aid if they vote the wrong way or by giving aid to those you want them to vote for, I think it was proven to be bankrupt. And I think people need to reflect upon that. Democracy promotion is a great idea, the many thing Les described. But you don't really buy votes that way, and I think that the sooner we learn that, the less money we'll expend on the wrong things, and the better impact we might have in Palestine.

Finally, to George's question about whether Israel would allow the PLO to negotiate now. We're in terra incognita. Who knows what Israel will want or what it will accept. I find it hard to imagine at this point that they would say we're going to bracket the PA and just deal with the PLO despite the composition of the PA. I mean ironically, in the past, the PLO was viewed as sort of the hardliners, so you dealt with the PA. I mean there's so many ironies that the president was the power you wanted to weaken when Arafat was there. Now you want to boost it, because it's Abbas. The PLO was the one you wanted to weaken because the PA was the moderate one. Now you may want to reverse that. I think everything is up for grabs. And my sense in Israel at least, and here, is that people have yet to get over the confusion and the shock.

MR. BROWN: There's very little to add to those answers. I agree with all of them. Just one quick thing that I would say or two quick things. First, about the U.S. thumbs on the scale, yes, it was a matter – the high levels and the low levels. I got asked about that all the time. And in fact, Hamas turned it quickly into an election slogan. Did it affect many votes? I don't know. But it did tick a lot of people off. I don't know if Palestinians can be bought, but \$2 million is not enough. (Chuckles.)

With regard to the electoral system, yeah, Les is absolutely right. This was a product of intra-Palestinian negotiation in two settings. One was in Cairo a year ago when all the factions sat down and they bargained this out. And it was the small parties who really pushed for PR. But also intra-Fatah bargaining – and this was what held up the – it took basically a year to write this law. In some ways, it actually took two or three years to write this law because everybody in Fatah was trying to figure out not how is it that Fatah is going to win the election, but how is it that I or my group is going to come out on top. And it's sort of symbolic that this election law that was partially designed in order sort of as intra-Fatah rivalries, basically led, I think, to the – electoral collapse too strong a word – but certainly to the electoral defeat of the organization.

MS. OTTAWAY: Okay. Let me take the gentleman in the yellow shirt.

Q: Yes, sorry. Al Milliken, Washington Independent Writers. How much are other known and acknowledged terrorists and their financial supporters being affected by the elections, particularly al-Qaeda? Are any of them reconsidering their belief systems, particularly about democratic elections and the rule of law?

MS. OTTOWAY: (Chuckles.) Sorry. Yes, back there.

Q: Irv Chapman. I work for Bloomberg Radio. The Palestine Liberation Organization is something that most of us haven't heard about since Yassir died. Who is it? It's not President Abbas. How do these two – since we also heard that President Abbas is the one the West wants to deal with? I'd also like to ask Mr. Campbell, your confidence that if Islamists win elsewhere one man, one vote elections that it won't be one man, one vote, one time?

MS. OTTOWAY: Jerry.

Q: (Inaudible) – I'm in at USAID. I'm sure that everybody wants to talk about the Palestinian election, but I was particularly interested in the comments that, Rob, you made and Les, you made, about democracy and the ticket for entry and the question of violence. I guess it's one thing to say we won't deal with a party that engages or proposes to engage in violence against its neighbors. But what I'm not clear about is what their rationale would have been for excluding Hamas from a domestic election in Palestine on the grounds not that it was going to perpetrate violence against other Palestinians, but rather that part of its program would have been some potential violence or a reaction to Israeli violence either one against an occupier. Can you – I wonder if you could explain that, and I realize there's a second subtext, which is whether Abu Mazim could possibly have restricted them even if he wanted to, but that's the easy one, so please avoid that one. It's the first one that I'd wonder if you could address.

MS. OTTOWAY: Okay, try to keep all of your answers shorter, because we have a lot of questions. You want to start, Nathan?

MR. BROWN: I will be short and also glib. (Chuckles.) First, with regard to al-Qaeda, I don't know what they think. They're not the interesting actor. I'm not sure that they've all of a sudden become convinced that the thing to do is to run in elections. The interesting actors here are not terrorist groups, but more mainstream Islamist groups who are, you know, Morocco and Egypt and Jordan and so on, who are watching what is happening very, very closely. They're extremely excited about the outcome. Finally, they won one. And they're very, very interested to see how the experiment works.

Second, who is the PLO? Well, it's a memory and a set of bureaucracies that still exist on paper, but aren't all that active. It does have a chair who is Abu Mazim. I mean there was a deliberate decision to keep the chairmanship of the PLO and presidency of the PA the same, and have a central committee, and a set of bodies that really hasn't been all that active or viable. In a sense, it might be a legal fiction to separate these two.

The third question about mechanisms for excluding Hamas, I think I'm not going to answer that question because it's really for Les, but I think I want to amplify the question. I think there are ways that you could do this domestically, but it would have been very difficult simply in terms of Palestinian law to exclude Hamas. There may have been a way, but I don't know what it was. You couldn't, for instance, insist that they approve all agreements made by the PA because the PA didn't make agreements with Israel. So I'm not quite sure how you would have done it. It would have been a great idea, but I'm not sure it could have been easily done.

MR. MALLEY: Well, to keep it short I'm just going to focus on that question, which I think is a very provocative and interesting one. You have the demand that parties renounce violence before they participate in elections. As you say, it makes perfect sense when the violence is exercised to change the outcome of those elections or to change the domestic scene. It's very different when it's addressed with somebody else. I think it points to the anomaly of having elections under occupation. It's not the most common instance that we've seen. And I think it also shows why the Palestinians didn't buy that. I mean I'm going to say now to sound very glib, but most countries don't renounce the use of violence. As far as I know, this administration has not only not renounced the use of violence, it's used it and continues to threaten to use it, and it's perfectly legitimate if it feels it's national interests are at stake. So I think that was really the wrong way to frame the question.

I think the two other questions, which are more interesting – what kind of violence, violence against Israeli civilians – that's a question I think that could legitimately be asked, and it's a matter I think Palestinians themselves and other could impose that as a real question – and calling for the destruction of another state. But it's this – when you ask Palestinians, renounce violence, I think the Palestinians who believe that they've been at least as subject to violence, victims of violence as the Israelis, they find that a little bit hard to swallow. And just one last comment – if that were the standard, I don't know how and in what name Fatah could run elections. They have militias. They've perpetrated more violence in the last few months than Hamas has, and I don't know whether if they say they renounce violence, why anyone would believe that makes a difference.

MR. CAMPBELL: I'll just address first the one man, one vote, one time question, because it does come up. I don't have any inside knowledge about Hamas or the other Islamic parties that are doing well electorally that makes me 100 percent confident that they will, having gained power in the case of Hamas behaved democratically. And we haven't – fortunately, I guess – had to confront this question yet in other countries, although I think we will be confronting this question more and more. But I do have optimism that once groups' parties have decided to enter the political system when they see that political power can be gained through legal, legitimate means, I am optimistic that they will choose not to use this one win to then shut down all democratic processes.

What I do fear though, and I think a lot of Palestinians fear is that Hamas will use their election win to impose a social moral agenda on Palestinians that I really think was not discussed in this election. I think we always have debates about what kind of mandate parties get. We debate that after every election. And I think you're going to see a debate in Palestine that says something like Hamas was elected on a fairly narrow sort of platform, and that platform did not include things like the imposition of Sharia law, even if it's at a local level, and did not include particularly any kind of forceful imposition of their Islamic principles. But I'm an optimist at heart.

The whole issue of candidacy restrictions or exclusions, I just think that we start – every time this debate comes up, we mix all sorts of different things together. I want to say first of all that how other governments through their diplomacy, through their international relations, choose to relate to a Hamas group winning is entirely different than anything I was talking about. That's something that happens after elections. I was trying to refer to elections and political processes. And it would be my point of view that as this whole field of democracy promotion or democracy assistance matures, we more and more are attempting to rely on international standards, practices, norms that we all get together and agree upon.

A good example would be a document that was adopted recently at the UN on international standards for election observation. It was a variety of groups – I think 20-some odd groups – getting together over a series of years and negotiating what we thought were international standards. I think my suggestion is that most people I think in the democracy business would agree that violence and peaceful political participation are incompatible, that groups that choose to enter the political system and play by the rules of the game and adopt the rules as put forward to them, that we would imagine that those groups should not also be able to concurrently be planning, hatching plans to blow up busses of civilians, to put it sort of boldly. So all I was suggesting was that we should all have encouraged way ahead of time – I think it was too late a week before the election to get people to quote “renounce violence.”

I mean, I agree with people who say that there is an impracticality to all this. But two or three years ago, say in 2003, it was not impractical to say international practices and standards would dictate that as parties start to prepare to run an election that they should look at their platforms, their members, the people they're putting forward as candidates and so on, and they should look at issues – violence against civilians, hate, fomenting hate and so on are incompatible with peaceful, democratic processes. And these are standards that are held in European countries, in Canada, the United States. We have all sorts of restrictions in terms of registering parties and how you can behave. And I just think that would have been a reasonable restriction.

Q: Hi. I'm Tom Melia with Freedom House. Les anticipated part of my question about what kind of mandate to read into these election results. But I wanted to sort of ask Rob in helping us understand this, to clarify or correct if I misheard a couple things you said about this, because I think that's the big question – what mandate does Hamas come away with from this election and how are we to react to that or anticipate it? And Rob,

you said at one point near the end, you said I don't think most Palestinians really in their hearts believe that calls for recognizing Israel and renouncing violence are reasonable requests. And I thought that was inconsistent with what I understand some of the polling to be about Palestinian opinions, which say that most Palestinians in fact are prepared to live at peace with Israel and are prepared to renounce violence in pursuit of political agendas. I just wanted to – maybe I misheard you on that.

Related to that was another sort of – maybe it was a passing comment about who speaks for the vast majority of Palestinians and is it Hamas? I think Nathan was reminding us that they got 45 percent of the vote, and while they got a clear parliamentary majority out of it because of the particularities of the election system, is it clear that they speak for the vast majority of the Palestinian people at this point?

MS. OTTAWAY: Yes, back at the – (inaudible).

Q: Thank you. I'm Michelle Kelleman with National Public Radio. I wanted to ask the question about aid as a leverage point here. The U.S. obviously isn't going to be giving money, direct assistance, to the Palestinian Authority, but it hasn't done much in the past in that front. Anyway, the real players are going to be the Europeans and the Arabs, and I wonder if you think the U.S. is putting too much pressure on those countries to set the bar too high for Hamas as you said Rob.

MS. OTTAWAY: One more.

Q: My question is also for Rob. Just going back to the point that you made that the U.S. should choose not to engage Hamas before they make the concessions of renouncing violence and recognizing Israel's right to exist – given that, I think it's fair to say that many people see that this is something that Hamas is using as a bargaining chip, that they see themselves as sort of born-again negotiators, that going back to the position that the PLO was in at the time that it entered into negotiations with Oslo, that this is why Palestinians – this was the substance of the protest vote, that we gave up – we recognized Israel's right to exist and we renounced violence and ten years later, we have nothing to show for it. So I think it's – to say that the U.S. should approach Hamas by not engaging it until it renounces these things sort of leads to a stalemate situation that Hamas would find itself easy to maneuver itself out of. So I'm just wondering – I mean are there carrots that can be provided because it's reasonable to assume that is what Hamas is waiting for?

MR. MALLEY: Okay, let me start with the first one. Tom, maybe I wasn't clear. Let me try to state it clearly. I think who knows what the Palestinians believe in their heart. But the question is not do you deal with Israel. It's do they recognize Israel's right to exist, which is the way that it's put in standard form. I don't think most Palestinians, including the most moderate, believe that Israel has a right to exist, and they don't think that they should be asked to agree to that. First of all, polls – I think we saw in these elections, polls don't necessarily tell us the whole truth. But the other point is, the polls tell you that Palestinians want a peace agreement with Israel. And I believe that should

include a majority of Hamas voters, as the polls indicate. It's different from saying that Palestinians would today in the majority believe that Israel has a right to exist, because that is for them a denial of their history and of the rightfulness of their cause. But it's not incompatible in my view to say that Palestinians don't recognize Israel's right to exist, but if a peace agreement is reached, they're prepared to accept Israel and live with it and over time, perhaps even take it a step further. But even those Palestinians who go on television and tell you we recognize Israel's right to exist, I'm not sure that those words are consonant with what they truly believe.

And the same with violence. I think most Palestinians believe that they have a right to self-defense and they have a right to use armed struggle to recover their land. If there is a peace process that is going on as was the case in the '90s, most of them would say let's put that in brackets. Let's try the peace process. But I don't think Palestinians in the vast majority – in the vast majority – would agree to the proposition that they should renounce violence and not even have it as an option in case they don't realize their aspirations through negotiation. Whether we like it or not, I think that's a truer picture of the Palestinians than what we hear that way. And that's why when I said the vast majority, I didn't mean that the vast majority agrees to Hamas' program, social program, or its call for the destruction of the state of Israel. It's on those points that I was saying.

Very quickly, aid as a leverage point. You know, I don't think the U.S. is putting – the pressure it's putting now is pre-bargaining pressure, if you want. And I don't know that the bar is being set too high or too low right now. The real question is going to come later. I think the strategy right now is to sort of – there's a right one. Let's put the pressure on Hamas to see what it comes up with. Where we're going to face a bigger problem is what position we take vis-à-vis the EU and Arab countries when Hamas forms a government or when there is a government that is formed that is approved by Hamas, what are the requirements we then want other people to put on continuing assistance? Is it renunciation of violence and recognition of Israel by Hamas or is it requirements on the government that will have been formed as I explained earlier? So I think it's too soon to say, and I must say, I've been – I think a right attitude to take now is not to rush, not to box ourselves in and let's wait to see other people are putting pressure on Hamas. And as I said, Hamas is putting pressure on itself.

Finally, on Hamas, as I said, I don't think Hamas is prepared to make the concessions that the U.S. wants in order to speak to the U.S., and I don't think the U.S. is prepared to lower its bar. But that's not necessarily a stalemate. Later on, later in the process, there will be – and I suspect they already are – there will be back-channel conversations with cutouts – third party cutouts. And maybe, we'll reach some kind of agreement where Hamas would agree to take certain steps in exchange for steps that the U.S. or Israel will take. But right now, the stalemate won't come because the U.S. doesn't talk to Hamas. The “carrots,” quote-unquote that one could give is in fact to be prepared to work with a government that enjoys Hamas support if that government meets certain benchmarks that I exposed earlier. So I don't see the stalemate coming out from that, and frankly, I think the notion that the U.S. is going to talk to Hamas before Hamas takes these steps is politically simply unfeasible.

MR. CAMPBELL: I just make one quick comment, just on polls. I always get slightly uncomfortable being discussions about the peace process because it's not really my field and I don't follow it that much, and it all gets very sort of high-fallutin' in a way with all sorts of different tracks of negotiating and so on. But one thing I want to mention is that the polls that I saw – and they were all in the public domain, but there were many of them – and the Palestinians have polling down to a pretty good science – when Palestinians were asked open-ended questions, top-of-mind questions just right at the beginning of the poll, what is the most important issue that faces you today – almost none of the things that we're talking about here were top-of-mind. They just weren't. Not that they're not important issues. They are important issues, and I think in this room, they're incredibly interesting. But I don't think that's what drove Palestinian voting behavior, and I don't think there's any evidence of that. I don't even think there's evidence that they were particularly sending a message to Israel and the United States. They were sending a message internally to Fatah and to failed leadership, ineffective people who had not changed their lives for the better. And I think that really was what this election was all about. Now, of course, they have now wrought something, which we all have to deal with that has much larger implications. But I really strongly believe that they weren't thinking of all these wonderful strategic things that we are right now.

MR. BROWN: Just a very quick supplement to Rob's answer on the international assistance question. I don't have anything to add.

Q: Microphone, please, sir.

MR. BROWN: A quick supplement to Rob's answer about international assistance. I mean I agree with what he said, but I want to stress sort of the final point that he made about avoiding boxing anybody in. I mean we shouldn't have boxed ourselves in. We shouldn't come down so strong and so hard so quickly that we get Hamas to commit itself rhetorically to a set of positions, which it can't climb down from. There is a fascinating process going on right now, and it's not just between the Americans and the Europeans. It's among all actors. There's an incredible amount of diplomacy that's going on right now. It's absolutely extraordinary that after an election, the first thing that a president does is to go on a foreign trip to consult with other states in the region, to go to the Egyptians, to go to the Jordanians who are putting a little bit of the screws on. So I would say that there is a very active diplomatic process going on trying to find a way out. Whether or not it's viable, we will find out. But the most important thing, it seems to me, is to not cut that off prematurely. The idea of pressuring Hamas to come up with a clear set of answers and clear set of positions is, I think, very, very sound, but it has to be done a little bit artfully lest we find ourselves with legal requirements and political commitments that will take 20 years to get out of.

MS. OTTAWAY: We have a few minutes. Rather than taking more questions, I'm going to give each of the speakers the chance to make one comment, parting thoughts you want to leave us with. And I'll start with you. (Chuckles.)

MR. CAMPBELL: It's a tough one to start. It's easier to respond to questions. I think my parting thought would be to repeat something I said in my remarks and something I've been saying for a long time, which is, there is something to be said for being for democracy for the sake of democracy. I mean I think one of the common points that we all keep making – and I think Rob's comment at the beginning was very clever and now I wish I remember it – but something like, you know, there's nothing like a hard-fought contested election cleanly run to sort of make all of us nervous about what democracy and elections bring. And you know, he said it more eloquently than I did, but I think it's an important point.

But, there is something about this process. I thought it was amazing listening to Rob, and I really appreciated his presentation, talking about all the good things that could come out of this. So I guess my plea, if I could put it that way, would be – and I think I'm echoing what everyone has said here – let this thing play out a little bit. Let's not box ourselves into corners. Let's not take maximalist positions. Let's not say the sky is falling when it's not. Let's try to extract from this situation things that give us ways forward and that allow us to see something positive in the future. And I would hope that this election leads to others in this coming year in the Middle East that also give us cause for hope as well.

MR. MALLEY: Well, let me echo that. I wouldn't say that anyone here thought of this as the ideal scenario. I don't know that people were hoping, at least here, that Hamas would win. But for those who want to say that an opportunity has been lost in that and as I've heard some people around town saying, you know, this is a disaster, I think we really need to think of what would have happened in the alternative scenario. There was no opportunity to be seized. There was no peace process to be continued. There was no disarmament of Hamas that was on the agenda. Things were stuck. They were not going to get unstuck. We now have something new. Novelty isn't always good. I'm not a believer in the chaos theory that sometimes the administration promotes. But in this case, I think there is an opportunity if everyone plays wisely, prudently, and well, and toughly, something better may come out of this than would have come out of what so many people had hoped for.

MR. BROWN: Instead of making my own final point, I'm going to steal one that Les made in the middle, and I think may have gotten lost in this discussion that I think deserves emphasizing. The fact is that we're – in forthcoming elections in the Arab world, we're probably going to see Islamist movements doing fairly well and winning. The challenges that that will face us are most acute in the case of Palestine. It would have been nice if the elections had come in reverse order and we were dealing with this last. But we will be facing, and people are watching to see what stand we take and what happens actually within Palestine, between Palestine and Israel, and that sort of thing. So the stakes are high here not simply for the people who live in the immediate conflict. In that case, actually, I'm not sure that there is going to be any immediate impact on Palestinians or Israelis. But the stakes are fairly high for the region and for people figuring out exactly what to make of efforts at democratization and how to line up on that.

MS. OTTAWAY: Thank you very much. (Applause.)

(END)