

Web Commentary

Middle East Program

August 2009

Palestine: The Schism Deepens

By Nathan J. Brown

Most international attention to the Israeli–Palestinian conflict tends to focus on major diplomatic initiatives and dramatic events. Concrete developments on the ground, slow trends, and grinding practical realities can fade into the background. To its credit, the Obama administration has sought to address one problematic trend on the ground—the steady growth of the Israeli settler population on the West Bank. But an equally worrying trend on the Palestinian side—the deep and widening division between the West Bank and Gaza—remains unaddressed. That division would vitiate any diplomatic breakthrough in resolving (or even managing) the conflict, since it prevents the Palestinians from speaking with one voice, much less acting in a coherent manner.

When Hamas and Fatah fought their brief but bitter civil war in June 2007, the outcome was short of Solomonic: the object of contention, the Palestinian Authority, was actually split in two. The grim reality is that the Palestinians now have two political systems that are lurching farther away from each other, and neither one seems to have a viable strategy for realizing its vision or building a better future for the people it purports to lead.

The division has become deeper and far more permanent than the mostly ephemeral international diplomatic initiatives that have ignored it. The widening chasm in their ranks has deeply distressed most Palestinians. Bowing to public opinion, the two Palestinian Authorities have denied that the schism is a natural state of affairs and have dutifully reported when summoned to various reconciliation efforts. But those efforts—spearheaded now by Egypt—appear to have run out of steam. The Egyptian efforts aside, the international community (led by the United States) has helped—sometimes by neglect and sometimes by design—to entrench the division even more deeply.

Palestinian politics is littered with various makeshift, temporary, and ad hoc structures and arrangements (including, of course, the Palestinian Authority itself) that have become more or less permanent fixtures, functioning as well or as poorly as prevailing political conditions permit. Despite their protestations, the leaderships in both Palestinian Authorities show every sign of digging themselves in quite deeply and making the current division a permanent feature of Palestinian politics. The Ramallah PA pretends wherever possible that it can continue operating internally and negotiating internationally

as it has since 1994 almost as if nothing has happened. The Gaza PA is busy welding the structures of governance firmly to the Hamas movement, creating a party-state that is itself similar in some unlikely respects to the one Fatah built in the 1990s.

Each side displays a determination to continue indefinitely, smugly convinced that its rival cannot do the same.

The West Bank: A Road Map to a Cul-de-Sac

Conditions in the West Bank have recently prompted giddy press coverage about security and prosperity.¹ Giving credit to Prime Minister Salam Fayyad, Thomas Friedman has gone so far as to suggest that the perceived success is based on a new model and may augur a change in Arab politics: “Something quite new is happening here. And given the centrality of the Palestinian cause in Arab eyes, if Fayyadism works, maybe it could start a trend in this part of the world—one that would do the most to improve Arab human security—good, accountable government.”

IS FAYYADISM NEW?

There are improvements in both economics and order, to be sure. But what is far less clear is the sustainability of the improvements that have taken place. And they come at very high cost in Palestinian eyes: every step toward prosperity and security on the West Bank is predicated on deepening divisions between the two Authorities (and implicitly on the unlikely hope that the Gaza-based PA will eventually simply wither away or surrender).

What has actually taken place on the West Bank? In June 2007, immediately after the split with Gaza, PA President Mahmoud Abbas appointed a technocratic cabinet headed by Salam Fayyad. A cabinet reshuffle in May 2009 introduced some figures from Abbas’s Fatah party. While Fayyad’s cabinets have not been able to extend their authority outside of West Bank cities and towns, the Ramallah-based PA has had its fiscal health assured since June 2007 by the resumption of Israeli revenue transfers (a large portion of Palestinian tax revenues are collected by Israel when goods destined for Palestinian markets pass through Israeli ports) and a massive international assistance effort. In addition, the United States pressured Israel to remove some obstacles to travel within the West Bank, an effort that has picked up steam over the past few months.

The results of these steps were predictable. West Bank civil servants have had their salaries paid almost regularly (there have been some delays in delivery of assistance and some arrears have not been paid). Debilitating restrictions on movement have been diminished. And the Ramallah PA security services have launched a crackdown on Hamas as well as a law-and-order campaign in West Bank streets that have earned Israeli praise—and facilitated the partial relaxation of strangulating travel restrictions within the West Bank.

Salam Fayyad’s contribution to these developments is real; he has brought competence and international respectability. Yet Friedman’s description of “Fayyadism” as something new to the Arab world betrays a very selective reading of history. The approach that Fayyad has followed in governance (a technocratic ministry dedicated to fiscal

transparency, regularization of authority, competence, cabinet government, streamlined and less partisan security services, and economic development—all based on the view that governance could be made better even under conditions of continued occupation) was very much the essence of earlier efforts made by a Palestinian reform movement born shortly after the creation of the PA in the mid-1990s. The successes of that reform movement were extremely uneven, to be sure (it peaked in 2002 and 2003 with a package of fiscal, governance, and constitutional reforms that brought in Fayyad as finance minister and led to the creation of the post of prime minister that he now holds).²

Fayyad's program is not new; it is only attracting a level of international diplomatic support that was generally denied earlier efforts. The earlier reform movement was sometimes supplied with funds and advice from international sources, but it was almost never given the high-level support and diplomatic muscle it needed. And that explains the efficacy of Fayyad's program in comparison with past failures.

REFORM WITHOUT DEMOCRACY

The resemblance between "Fayyadism" and the reform program of a decade ago is not complete in another way as well. From the perspective of the earlier reform movement, there is one vital missing ingredient in the current Ramallah leadership's approach—democracy. The Ramallah PA is headed by an elected president, but the cabinet has no democratic credentials and the elected parliament has been effectively suspended. (The speaker, from the rival Hamas movement, found that he was locked out of the building when he tried to return to his office after his recent release from an Israeli prison.) The courts, which show some signs of resuming their function, enjoy greater autonomy than they have had in the past—answering a decade of demands for an independent judiciary, but hardly correcting for the lack of democracy. And the police and security forces are tasked not merely with enforcing traffic laws and intimidating local gangs (that doubled as militias and protection rackets during the intifada) but also with a widespread crackdown on Hamas throughout the West Bank.

The campaign against Hamas in the West Bank has been thorough and driven much of the movement in areas under Ramallah's control into hibernation or underground activity: Hamas activists have been arrested (the movement charges that close to one thousand of its members are currently detained and that five have died in custody), mosques and officially-sanctioned charities have been brought under strict control, pro-Hamas civil servants have lost their jobs, and NGOs associated with Hamas have been shut down. Thus the much ballyhooed improvements in security are indelibly linked in the West Bank to an unpopular campaign of political repression—Hamas is disliked by many Palestinians, but most still regard it as a legitimate political actor rather than as an organization to be suppressed.

Aware of its lack of legitimacy, the Ramallah PA has taken limited steps to regularize its rule. An ad hoc procedure has been created to draft decree-laws in the absence of parliament to ensure full consultation with all ministries and to postpone matters that are not urgent until democratic procedures are restored. Written and oral instructions have been delivered to all security services to obey court orders, even if they involve the release of a Hamas activist (only a small minority of detainees have been able to secure

their release through legal procedures, however). The cabinet may move toward a system in which each ministry forms a consultative committee composed of officials and leading citizens and NGOs to guide its work.

Even if regularized and softened, the result is undeniably authoritarian. To be sure, this is a new kind of authoritarianism, at least for Palestinians. Under Yasser Arafat, the PA would often act in an arbitrary, corrupt, and unpredictable manner, steered by numerous cross-cutting pressures as well as the contradictory impulses of its charismatic leader. What is occurring in the West Bank now is far more regular and predictable even if it is more authoritarian—the trend might be described as the routinization of the lack of charisma.

There is no easy way out of this authoritarianism. Abbas and Fayyad call constantly for elections in January 2010 (when they are due, and perhaps overdue), but it will be difficult to hold viable elections without the consent of Hamas. There are many parties to blame for the breakdown of the Palestinian electoral system, but Abbas himself must bear a considerable portion of responsibility. He resorted to constant threats of unconstitutional elections and even dissolution of parliament since shortly after Hamas won in parliamentary balloting in January 2006; he also rushed through a new decree-law in September 2007 clearly designed to disqualify Hamas from future elections. Elections on the West Bank might be possible only in a logistical sense, but they would likely horrify the highly professional Central Elections Commission as well as many Palestinians who would see them as a step toward more deeply entrenching their separation from Gaza.³

The one place where political reform may be taking place is within the Fatah party. The just-concluded sixth party congress was called to meet a longstanding demand of what had been a young generation of party activists (their push began at the beginning of the Oslo process; they are now middle-aged). It will not be clear for some time whether the congress will help rejuvenate Fatah. Much of the international attention focused on parsing the tortured phrasing of the political platform emanating from the congress. In a series of conversations in Ramallah immediately before the opening, however, I found people interested only in personalities and factions. The new figures introduced to the party leadership are unmistakably younger than those they replaced. They are also even more heavily weighted toward the West Bank and Gaza (as opposed to Jordan and Tunis) than the older leadership.

The injection of new blood and pragmatic perspectives into the party leadership is probably healthy but the real test will be whether those who now lead are able to act cohesively and coax their followers along. On that point, indications are mixed, especially because of the addition of divisive figures (most notably Muhammad Dahlan) into Fatah's Central Committee. With competitive national elections unlikely, the incentive to close ranks and end factional infighting is weak (in 2005 and 2006, when elections were imminent and the incentive for unity high indeed, Fatah leaders still spent more effort outmaneuvering each other rather than seeking to defeat Hamas).

And any rejuvenation of Fatah may put additional pressures on “Fayyadism.” Some new leaders are already insisting on a cabinet reshuffle to increase the party’s representation (the current council of ministers includes some Fatah members as individuals); there are also signs of resentment against the security reform overseen by General Keith Dayton that aims to build non-partisan security forces. Fayyad and Dayton are the latest in a line of indispensable figures for Washington, and it is unlikely that they could be easily removed without undermining international support for the Ramallah government, but their programs may come under domestic political pressures.

The maneuverings before the Fatah party congress did have one unnoticed effect that actually aggravates the split with Gaza. When some external leaders of the party (notably Faruq Qaddumi) used the pre-conference period to launch an ineffective but sensational attack on Abbas and others, the Ramallah-based leaders reacted by quietly transferring remnants of the PLO that still operated in Tunis to Ramallah. The significance of the move was missed, perhaps for good reason—the PLO has hardly had a viable life since the creation of the PA. But bits of the PLO had retained a small amount of autonomy from Ramallah and Abbas’s critics held some positions of vestigial responsibility. Sure enough, immediately after the close of the Fatah party congress, Abbas rushed to convene an emergency meeting of the Palestinian National Council (the large assembly associated with the PLO), presumably to solidify his control over the PLO’s not-so-vital organs. Any attempt to unify Palestinian ranks will probably require some role for the PLO as an umbrella organization; by folding the PLO’s remnants into his Ramallah headquarters, Abbas may have made that a slightly more difficult task.

WHERE DOES IT ALL LEAD?

The main problem with what Friedman calls Fayyadism—and what earlier pundits dubbed “West Bank First”—is not the way it undermines democracy in the short term but in the way it masks the absence of any long-term strategy. Friedman’s paean to Fayyadism simply ends “ Hamas and Gaza can join later. Don’t wait for them. If we build it, they will come.” It is not clear that Ramallah’s planning goes beyond that Hollywood cliché. The hope that Hamas will simply come along, however, requires two doubtful developments: first, the transformation of temporary gains in the West Bank into undeniable and sustainable economic and political achievements; and second, Hamas’s acceptance of defeat and decision to join the march of Ramallah’s progress.

With regard to making temporary gains permanent, Ramallah has to rely on others. Ramallah’s current limited and reversible gains stem from two interconnected developments: a partial recovery from the economic devastation of the intifada years and the construction of security services that earn grudging Israeli respect. But what is the next step? How can the Ramallah PA move closer to its vision of an independent Palestinian state in the West Bank and Gaza with Jerusalem as its capital? How can the partial recovery serve as the basis for more sustained development? Both political and economic progress require tangible diplomatic moves toward statehood, including free movement and access. On the diplomatic front, the Palestinian leadership in Ramallah’s plan seems simply to place its hopes in the Obama administration and has worked hard to keep close relations with the new U.S. leadership—but waiting for the United States to deliver a peace agreement is hardly a strategy. The Palestinian leadership is so weak that

it might be forgiven for now for simply relying on others, though eventually that approach will no longer restrain those on the West Bank who call for a return to “resistance.”

More troubling is the absence of any strategy to deal with internal divisions. Indeed, all steps being considered in Ramallah at present deepen that division. Merely continuing with current arrangements, especially on the security front, drives a profound wedge between the West Bank and Gaza. It is inconceivable that the current progress on the West Bank can be maintained, much less solidified, without a continuation of the harsh crackdown on Hamas. And that has made the security program itself a bitter bone of contention and a red line for Hamas in any future reconciliation. Just as ominously, the program is regarded with some suspicion even among Ramallah’s supporters—in my recent trip to Ramallah, almost all Palestinians who talked about the security program spoke of General Dayton with resentment and embarrassment (with his May speech at the Washington Institute for Near East Policy⁴ drawing particularly bitter comment). Those most supportive of the program sought vigorously to portray the U.S. role as incidental and technical and insisted that security measures are aimed at promoting law and order without specifically targeting Hamas.

To the extent that any long-term initiative is mooted—such as the idea of restoring elections—the undeniable effect would be to widen the gulf with Gaza, not overcome it. Thus, the greatest risk of “West Bank First” or “Fayyadism” is that it leads to a cul-de-sac. Every short-term step toward success may actually undermine any long-term effort to knit Palestine together.

Gaza: Is Hamas Copying Fatah in All the Wrong Ways?

While international observers display only episodic attention to internal developments in the West Bank, they almost totally ignore what takes place inside Gaza. There are occasional exceptions. The bloody fight between PA Gaza security forces and a radical salafi group in Rafah did garner attention, and the horrifying economic collapse in Gaza is occasionally documented in reports by outside observers.

But perhaps the most striking political development in Gaza over the past two years has been missed: the deep transformation of the nature of Hamas as a movement. Observers have looked past the portentous organizational changes; when they look inside Hamas, they search only for signs of ideological transformation and indication of acceptance of a two-state solution. On that diplomatic front there have been only tantalizing and still extremely ambiguous hints of shifts.

But it is on the organizational level that Hamas has changed more clearly—its leaders have taken a series of steps that it always claimed to seek to avoid, unmistakably building a governing apparatus in Gaza that elides the distinction between party and government. In an unambiguous fashion, Hamas has come to take on some features that characterized Fatah in the 1990s; in this regard, Hamas’s current leaders seem to have become in part the people the movement’s founders warned them against.

GETTING SUCKED IN

Hamas never rejected political participation in principle, but it entered the political field carefully and after a prolonged series of internal deliberations. When it won the parliamentary elections in January 2006, it took several steps to show it would not repeat Fatah's imperiousness and clumsiness: It strove (unsuccessfully) to assemble a national unity government; publicly eschewed many of the perquisites of political authority; and leaned toward technocratic expertise rather than political credentials in assigning some key cabinet positions. The movement also claimed that it would avoid the mistake made by Fatah in melding itself to the PA. In Hamas's eyes, Fatah had not only been deeply corrupted as a movement; it had also corrupted the PA itself (turning the proto-state into an instrument of party patronage and even brutal domination). Even worse, when Israel turned against the PA, Fatah found itself so wedded to the PA that it disintegrated and found itself torn between "resistance" and governing, unable to accomplish either goal effectively.

Hamas, by contrast, insisted that it would require high PA officials to resign their positions within the movement. That pledge was never fully honored, as key movement figures (such as Sa'id Siyam and Mahmud al-Zahhar) took key cabinet positions and the Ministry of Interior formed a security force in Gaza that looked to be a pro-Hamas counterweight to the security forces commanded by Fatah. And while Hamas claimed that it could pursue "resistance" and politics simultaneously, increasingly its interest in governing led it to favor a temporary modus vivendi with Israel. The movement also tried to be far more faithful to constitutional procedures and legal mechanisms than Fatah had ever been.

Hamas proved unable to follow this formula for long. International boycott, fiscal strangulation, intermittent violence with Fatah, and crippling strikes by public employees all made governing difficult. For the most part, Hamas appeared to hold its own fire against Israeli targets, but it hardly did so in a way that inspired confidence or credulity in Israel. More seriously, Hamas hesitated in moving against other Palestinian groups that eschewed quiet.

Faced with crisis on every front, the movement's first impulse was to work again toward a national unity government, but that proved difficult indeed; temporary success was undermined by a variety of international and domestic parties (the Quartet, which largely refused to deal with the new government; elements of Fatah, who continued to use violence against Hamas; and elements within Hamas itself who worried that the movement was getting trapped). In June 2007, as fighting between Hamas and Fatah in Gaza escalated, and some movement leaders concluded that there was a concerted effort to oust them from all positions of political power, Hamas seized power in Gaza (and was ousted in the West Bank).

THE CONSTRUCTION OF A PARTY-STATE IN GAZA

The decision to assume full control of Gaza proved to be even more fateful than the decision to enter the 2006 elections. In a series of steps, Hamas has been thoroughly insinuating itself into all aspects of social, political, and economic life in Gaza.

First, it has abandoned most pretenses of living within the PA's constitutional framework. It has appointed ministers who execute their duties without having the legally-required approval of the Legislative Council—the very step the Gaza PA lambastes the Ramallah PA for taking. When the speaker of the parliament was released by Israel in the West Bank (Aziz Dweik, elected on the Hamas ticket), Hamas was just as resistant as Fatah to having him resume his post (since it might have meant reviving a parliament in which Fatah has a working majority as long as most Hamas deputies are held by Israel).

Hamas has also taken sharp retaliatory actions against Fatah—most notably by preventing most Fatah delegates to the party congress in Bethlehem from attending. It has sought to bring NGOs under its sway (for instance, flooding them with new pro-Hamas members in a bid to take over formerly non-partisan bodies), tried to stack student council elections, and barred hostile newspapers.

And Hamas has turned the countermeasures taken by Ramallah into devices to solidify the movement's control over the Gaza PA. When most civil servants on the PA payroll struck, Hamas filled the gap with its own officials. When judges decided largely to continue following the Ramallah-based Supreme Judicial Council, Hamas created its own ad hoc judicial framework and hired its own judges. And when teachers struck, following the direction of their Ramallah-based union, Hamas responded by dismissing most of them and hiring its own. (When the union called off the strike after the Israeli military campaign in Gaza last winter, only some teachers were allowed to return.)

Hamas has abandoned some of the pretense of building a security apparatus separate from the movement. The original seizure of power in Gaza in 2007 was more the work of the movement's militia than of the security forces, belying Hamas's claim that this was a war between the legitimate PA and Fatah. In the Rafah clash earlier this month between Gaza PA security services and the salafi jihadists, Hamas's military wing again entered the fray in support of the Hamas's party-state. And it is not only salafi jihadists who have felt the brunt of Hamas's forces; there have also been some efforts to force recalcitrant groups to accept the quiet for now with Israel.

In all these respects, Hamas's actions have a familiar ring to them—they resemble those taken by Fatah when it originally built the PA in the 1990s. And the resemblance even extends to the economic realm. A decade ago, the economic arrangements of the Oslo Accords had led to a system of PA monopolies and border crossings that were dominated by group of top officials. Those provisions are a dead letter for Gaza, but the tight restrictions imposed by Israel and Egypt have led to an oddly similar result: what goes in and out of Gaza (in terms of commodities and even currency notes) can be monitored, licensed, controlled, and taxed by Hamas and the Gaza PA. And officials have used this system carefully to construct a fiscally sound administration in the midst of terrible economic devastation and international boycott. When he attended the graduation ceremony of the Islamic University, Gaza PA Prime Minister Isma'il Haniyya was able to announce that all those who completed degrees in law and Sharia would have jobs waiting for them in the government. Gaza may be in a state of advanced economic decay, but Hamas is hiring.

The eerie resemblance between Hamas of 2009 and Fatah of 1994 has begun to extend to rhetoric. After the violent showdown with the salafi jihadist group in Rafah, Hamas officials began to sound remarkably like Fatah officials after their violent clash with Hamas supporters in Gaza fifteen years ago. In both instances, there was talk of the need to accept the legitimate security forces and the rule of law, a sharp denunciation of opponents for using weapons for purposes other than national goals, an attempt to blame the dissidents for initiating the violence, and dark, sometimes wildly implausible allegations that external hands were somehow involved in sparking the violence.

LIMITS TO THE RESEMBLANCE

By tightening its grip on the reins of governmental control, eliding the distinction between public authority and private organization, developing an economic system effectively sustaining the party-state, and allowing a military wing to rise in influence, Hamas seems to be following Fatah's pattern of the 1990s.

Hamas—a movement which prides itself as being the un-Fatah in almost every respect—would reject the argument that by its actions it is reincarnating its rival. And there are several critical differences between the two movements. First, while Hamas has managed the political economy of the Gaza Strip to solidify its hold on power, its members have not yet been implicated in the extent of personal graft and venality that characterized Fatah during the Oslo years. Second, Hamas as a movement is still far more coherent than Fatah. Neither movement is free of divisions and rivalries, but Hamas is more able to make decisions and far more able to have internal dissidents accept their loss. And Hamas has even shown some ability to operate in accordance with its internally-established procedures even as it remains under siege and partly underground—last year, for instance, the movement was able to carry out internal elections of the kind that Fatah steadily postponed until it was jolted by its 2006 repudiation. And Hamas, for all its recent hints of interesting diplomacy, continues to insist that it will never recognize Israel.⁵

Finally, Hamas differs from Fatah in the continued viability of its external leadership. While those Fatah leaders who chose to remain outside of Palestine were pushed to the edge of the movement, Hamas's political bureau, headquartered in Damascus, has continued to play a leading role in diplomacy and decision making. Indeed, the head of the political bureau, Khalid Mish'al, may have even earned a promotion (a recent article on a Jordanian website referred to him not as head of the political bureau but as the *muraqib 'amm* or general supervisor of Hamas—putting him on par with Muslim Brotherhood leaders in other countries and cementing Hamas's position as the full successor of the Palestinian branches of the Muslim Brotherhood).

WAITING FOR HISTORY

The effectiveness of Hamas's entrenchment in Gaza has obscured the long-term goals of the movement for liberation of Palestine. As much as movement leaders insist that Hamas's horizons are hardly limited to Gaza, they are unable to articulate any strategy in public for moving beyond their tiny party-state. In private conversations with those close to the movement, I have heard no sign of strategic thinking more elaborate than a general

trust in God, an insistence on patience, and a sense that history is moving in Hamas's direction.

When viewed over the past two decades, Hamas's self confidence is easy to understand—the movement has progressed enormously. What began as a small network of groups attempting to push Palestinian Islamists in the direction of active and violent resistance to Israel now is a deeply rooted movement that occupies the attention of the world's top decision makers. Hamas's leaders have improvised strategies in the past to great success and they seem confident that there is no reason to be more purposive now.

Prospects for Digging Out Rather Than Digging In

With both Fatah and Hamas cockily confident that history is on their side, any possibility for coherent and unified Palestinian action is becoming more remote.

In August 2009, as international attention focused on the new Obama administration's Middle East diplomacy and Palestinian attention focused on Fatah's sixth party congress, one of the last strands linking the two Palestinian Authorities threatened to begin unraveling. The Ramallah PA cabinet, under pressure from the teachers' union, decided to delay the start of the new school year for two weeks, citing the weather, lingering swine flu concerns, and the onset of Ramadan. The Gaza PA rushed to announce that weather, health, and the holy month would not deter its schools from opening on the previously scheduled date.

There are, to be sure, a few links other than education between Gaza and Ramallah, but such ties—passports, banks, the electricity bill—are bones of contention and instruments of control rather than fields of cooperation. Only when it comes to curriculum (a coordinated set of reviews of the new Palestinian curriculum is underway in both Gaza and the West Bank), textbooks (with the same books used in both locations), and the *tawjihi* (the matriculation examination at the end of high school) is there close coordination between the two Authorities.⁶ For Palestinian schoolchildren, and especially anxious high school seniors, there remains a united Palestine. But other Palestinians answer to different authorities, generally read different newspapers, are paid from different accounts, and are even beginning to be subject to different laws according to which half of the PA is dominant where they live.

And deepening division is not only the default option for both Authorities, it is also U.S. policy by inertia. Having dug itself into a position of harsh sanctions against Hamas and robust support for the Ramallah PA, Washington now sees no alternative. The policy began under Bush but has continued under Obama. The new U.S. leadership has a slightly gentler touch—it appears to be quietly pressuring Israel to ease up slightly on Gaza and seems to have an interest in supporting Ramallah in ways that go beyond building security forces (though the Dayton mission remains a critical part of U.S. policy). If inertia does not succeed, the United States may be forced to re-learn the lesson that it should have learned in Iraq in the 1990s. Martin Indyk's critique of Iraq policy might describe U.S. policy since 2006, with the substitution of Hamas for Saddam Hussein and of the Quartet for the United Nations:

Sanctions also proved to be a blunt weapon in the American diplomatic arsenal against Saddam, doing immense damage to Iraqi society. Yet, ironically, they have become the new lever of choice when the United States attempts to alter the policy of a rogue regime....

The Iraq experience shows that sanctions tend to affect the citizens of the target country much more than the regime....

Once imposed, however, sanctions tend to take on a life of their own. In Washington a bureaucracy is created or expanded to police and monitor their enforcement. Regular reports must be made to the Congress, which will often impose additional sanctions and reporting requirements to assert its role and influence. A similar process takes place at the United Nations. Before long, a ratchet mechanism is in place that only allows for sanctions to be expanded as the current dosage fails to produce the desired change in behavior. Then it becomes impossible to determine the tipping point where sanctions become counterproductive and eventually ineffective.⁷

In the Iraqi case, Indyk does not now hold that there was a better policy than the one pursued, however. He simply concludes "Sometimes wise policy consists of waiting until something better turns up."⁸ If that is the case for the Palestinian issue today, all domestic and international actors involved are blessed by wise leaders indeed.

Notes

¹ See, for instance, Ethan Bronner, “Signs of Hope Emerge in the West Bank,” *New York Times*, July 16, 2009, http://www.nytimes.com/2009/07/17/world/middleeast/17westbank.html?_r=3; and Thomas Friedman, “Green Shoots in the Palestine,” *New York Times*, August 4, 2009, http://www.nytimes.com/2009/08/05/opinion/05friedman.html?_r=2.

² I have written of this reform movement in “Requiem for Palestinian Reform: Clear Lessons From a Troubled Record,” Carnegie Paper 81, February 2007, http://www.carnegieendowment.org/files/cp_81_palestine_final.pdf, and “Evaluating Palestinian Reform,” Carnegie Paper 59, June 2005, <http://www.carnegieendowment.org/files/CP59.brown.FINAL.pdf>.

³ Because they would be so difficult politically, West Bank-only elections are unlikely. But they are not impossible. One senior Ramallah official told me that he felt that such elections “should no longer be a no-go zone”—hinting that he favored them but doing so in such a ginger manner that what he also communicated was the tremendous sensitivity of the subject. Most other officials I spoke to simply indicated that no decision had been made. A decree to schedule elections (one that is eventually suspended) might be a more likely path—it would serve as a propaganda ploy against Hamas without saddling Ramallah with the blame for striking a death-blow to national unity.

⁴ Lt. General Keith Dayton, *Michael Stein Address on U.S. Middle East Policy at The Washington Institute's 2009 Soref Symposium*, <http://www.washingtoninstitute.org/html/pdf/DaytonKeynote.pdf>.

⁵ Fatah leaders have sometimes sought to coax Hamas into acquiescing in negotiations with Israel by pointing out that Fatah has not recognized Israel either. They do so in order to stress that the relevant agreements are between national and not party leaderships and therefore Hamas can keep its position as a movement. They need only refrain from actively disrupting negotiations.

Such statements have not persuaded Hamas. And they are disingenuous. While Fatah as an organization did not formally recognize Israel in so many words, it has accepted the 1967 borders as the basis of a peaceful settlement, a formula that cannot mean much other than recognition of Israel. (Hamas has accepted the idea of a state on the 1967 borders but has rejected that as the basis of a final settlement.) And the bodies that it has controlled and directed so closely—the PLO and the PA until 2006—recognized and negotiated with Israel.

⁶ Indeed, education officials even described to me some odd deference in this field—when the *tawjihi* was first administered after the split, the rival ministers of education signed the certificate for his or her respective domain. But when the Gaza certificates were not recognized by important Arab countries, the Gaza PA is said to have accepted that the Ramallah minister would sign for Gaza.

⁷ Martin Indyk, *Innocent Abroad* (New York: Simon and Schuster, 2009), pp. 212–213.

⁸ *Ibid.*, p. 214.

Nathan J. Brown is a nonresident senior associate at the Carnegie Endowment and is also professor of political science and international affairs and director of the Middle East Studies Program at the George Washington University. His past work has focused on Palestinian politics and on the rule of law and constitutionalism in the Arab world.

© 2009 CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE

The Carnegie Endowment for International Peace is a private, nonprofit organization dedicated to advancing cooperation between nations and promoting active international engagement by the United States. Founded in 1910, Carnegie is nonpartisan and dedicated to achieving practical results.