

## **The Gaza Crisis: Q&A with Rafi Dajani**

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*The recent abduction of Israeli Corporal Gilad Shalit precipitated an alarming escalation in violence between Israelis and Palestinians. In the following analysis, presented in Question and Answer format, Rafi Dajani, executive director of the American Task Force on Palestine, discusses some of the underlying factors behind the current crisis, and how this latest round of violence can be brought to an end.*

1. [What is the latest Israeli-Palestinian crisis about?](#)
2. [Has the Latest Crisis Revealed a Hamas Split?](#)
3. [What is the Palestinian Prisoner's Document?](#)
4. [Is There the Danger of a Palestinian Civil War?](#)
5. [Has the Israeli Occupation of Gaza Ended?](#)
6. [Is there a Way Out of the Current Crisis?](#)

### **1. What is the latest Israeli-Palestinian crisis about?**

The immediate reason for the latest deterioration in the security situation and accompanying escalation of Israeli-Palestinian violence is the raid by Palestinian militants on an Israeli military base in Kerem Shalom, during which an Israeli soldier was abducted. As of this writing, the soldier is still being held, probably somewhere in Gaza. The groups holding him are demanding the release of Palestinian prisoners in exchange for his return.

The initial Israeli response to the raid and abduction involved destroying Gaza's main electrical transformers, which supply over 65% of the electricity in Gaza. The lack of electricity affects food storage and the water supply, which has dropped by over 50%. In addition, fuel supplies are precariously low, which are vital for powering hospital generators and producing bread. On a military level, Israeli actions have included artillery and air strikes against Gaza civilian infrastructure and missile attacks against militants that have usually resulted in civilian casualties. Most recently, a Palestinian rocket that landed in Ashkelon has resulted in the reoccupation of a buffer zone in northern Gaza by the Israeli army. On the Palestinian side, militants have continued to sporadically fire Qassam rockets at southern Israel.

The similarity between the Israeli and Palestinian perspectives concerning the violence is that both sides feel that they are acting in self-defense. Palestinians feel that the raid against the Israeli army post and the abduction of the Israeli soldier was not what precipitated the current crisis. In the month leading up to the raid, over 20 Palestinian civilians had died in Gaza from Israeli strikes. In addition, Gazans were feeling increasingly besieged by an almost total Israeli blockade of the Gaza Strip. Palestinians

also feel that the raid was not an act of terrorism since it was directed against a military position and not civilians.

On a political level, international sanctions against the Hamas government were being felt by all of the Palestinian population who felt that they were being punished for expressing their democratic choice. Hamas, effectively prevented from governing by Fatah, Israel, the Arab world and the West, used the militant raid to show it had options other than electoral politics - and that the consequences of their governmental failure would be felt by all.

The UN Human Rights Council has passed a resolution demanding a halt to Israel's offensive in the Gaza Strip. John Dugard, a UN special rapporteur on human rights has said that Israel's military operation is violating prohibitions on collective punishment. Most recently, UN Secretary General Kofi Annan has called on Israel to end its military operations in Gaza and allow humanitarian agencies to resume their work.

## **2. Has the Latest Crisis Revealed a Hamas Split?**

Many Israeli and western analysts have concluded that Hamas' decision to resume armed attacks reflects a deep internal split between what is referred to as a hard-line 'outside' political leadership in Damascus and a more pragmatic 'inside' leadership led by the Palestinian prime minister. This internal Hamas tension, the reasoning goes, prompted the recent violence, with the outside leadership planning and executing the operation without consulting with the Hamas-led Palestinian government, in an effort to embarrass the inside leadership and show who is in charge. This perception has been reinforced by a statement made by Hamas spokesman Ghazi Hamad, who denied reports of a split inside Hamas, but also said that the government had no prior knowledge of the raid against the Israeli army base. Hamas had no explanation how that could happen in the absence of a rift.

On the other hand are those who insist that there is strict unity within Hamas, and that the issue of differences is actually a Hamas strategy akin to the 'good cop, bad cop' routine.

The truth is probably somewhere in between. While it is true that Hamas is in a state of flux, with an internal opposition that is unhappy with the evolving of the movement from a rigid, Islamist organization to one that remains radical yet allows debate and compromise, this does not necessarily reveal a split as much as it does differences of opinion. These differences are far more complex than any tidy inside/outside split could possibly suggest. What is clear however is that Hamas as an organization and governing authority was not given the breathing space or room to be able to evolve into a strictly political party. Economic and military pressure by Israel and the U.S. was applied on the Hamas government from the outset in a not-too-disguised effort to topple it from power. However, the reason it is important to try and encourage Hamas' evolution into strictly a political party is because Hamas is part of the fabric of the Palestinian establishment and is too major a player to be simply wished away.

Ephraim Halevy, Mossad head under five Israeli prime ministers and national security

advisor to Ariel Sharon, has criticized this strategy as damaging to Israel's vital interests. Halevy said we should not look at Hamas' rhetoric, but look at what it does: Hamas declared a truce 18 months ago and has committed no terrorist acts against Israel since. Palestinian PM Haniyeh has ordered his ministers to seek practical co-operation with their Israeli counterparts and has confirmed that Hamas' self-declared truce is open-ended. Why should Israel care whether Hamas grants it the right to exist, Mr. Halevy asked. Israel exists and Hamas' recognition or non-recognition neither adds to nor detracts from that irrefutable fact.

### **3. What is the Palestinian Prisoner's Document?**

The 'Palestinian Prisoner's Document' is a document comprised of 18 points that was drafted by Palestinian leaders from all the major factions in Israeli jails, including Hamas and Islamic Jihad. The main points of the document call for the establishment of a Palestinian state within the pre-1967 borders; the limiting of resistance to the Israeli occupation to that area; the formation of a national unity government with Fatah; the recognition of the PLO as the sole representative of the Palestinian people; the formulation of a political plan including Arab summit resolutions, the PLO platform and fair international proposals; and the return of refugees to their homes.

While the document has been officially dismissed by the Israeli government as 'irrelevant' and unacceptable, especially the call for the return of Palestinian refugees to their homes, the document's importance should be seen as a clear indication of an evolving Hamas position. In that sense it represents a significant shift from Hamas' founding goal of replacing Israel with an Islamic state and its more recent position of agreeing to a long-term ceasefire, over a generation or more, if a Palestinian state is formed on the occupied territories but without formally recognizing Israel. It is an implicit recognition of Israel, where there was no recognition whatsoever before.

Palestinian president Abbas quickly adopted the document and called on the Hamas leadership to accept it. While it is clear that the Hamas leaders in prison would not have signed on to the document without their political leadership's approval, that leadership initially rejected Abbas' call to accept the document, perceiving such a call as an attempted Palestinian 'internal coup.' Abbas then passed a presidential decree setting a date for a referendum for the Palestinian people to vote on whether they accepted the document. According to a poll conducted by Bir Zeit University, 77 percent of Palestinians support his initiative to hold a referendum on the prisoners' document, and the same number said they accepted the document's principles. Furthermore, 83 percent said that they supported the establishment of a Palestinian state within the pre-1967 borders.

Since Palestinians have never had a referendum before, there are no legal procedures for it. On that basis, several Hamas lawmakers questioned whether Abbas has the authority to hold a referendum at all. Some argued that the Palestinian legislative council would need to pass a law first, and with Hamas holding such a solid majority, that looked unlikely. Others argued that as president, Abbas could call a referendum by decree. A showdown seemed unavoidable between the two sides as the July 26 referendum date

approached, with increasing street clashes between Fatah and Hamas armed cadres.

Negotiations between Hamas and Fatah continued however in parallel with the violence and the two sides had actually initialed an agreement and were preparing to sign the document together when the raid against the Israeli army base took place. The resulting escalation in Israeli-Palestinian violence has relegated the document to the back burner for the time being, although there remains much potential for it having a positive impact on Israeli-Palestinian and internal Palestinian relations once the current Gaza crisis passes.

#### **4. Is There the Danger of a Palestinian Civil War?**

There is no doubt that there are serious ideological differences between Fatah and Hamas over recognizing Israel, negotiating with Israel, and the usefulness of armed resistance against Israel. Fatah has also used its preponderance of influence, power and numbers in the Palestinian security and civil services to interfere in Hamas' ability to govern. The issue of the 'Prisoner's Document' and the subsequent call by Abbas for a referendum resulted in a serious deterioration of relations between the two sides and the outbreak of serious armed clashes in Gaza between their supporters. The 'red line' of Palestinians never shedding each other's blood seemed to have been crossed and there have been increased predictions of a civil war. However, as mentioned before, negotiations between the two sides continued and a slightly amended document of national reconciliation had been initialized and was on the verge of being signed when the latest Israeli-Palestinian crisis erupted.

While the seriousness of the internal Palestinian armed clashes should not be minimized, it is important to also understand the context in which they occurred. Palestinian society is far from typical. Forty years of military occupation has stunted the growth of the institutions necessary for a society to function normally and for the building of a state. In the absence of the institutions through which political differences are redressed, it should not be surprising that differences over ideology are sometimes expressed through the use of violence. On the other hand, the most recent clashes served as a sobering look at how quickly things can spiral out of control for both sides, and may have served as a wake-up call in terms of how Palestinian internal civil conflict will be the death knell for Palestinian statehood, at least for this generation. As such the immediate danger of civil war has abated, with the remaining possibility that things might still spiral out of control, especially if foreign interests and influences seek to expose and exploit internal Palestinian differences.

#### **5. Has the Israeli Occupation of Gaza Ended?**

Israel's disengagement from Gaza in August 2005 resulted in the withdrawal of all Israeli settlers and the Israeli military from Gaza. In that strict and limited sense, the 'physical' Israeli occupation of Gaza has ended, but Israeli control over Gaza remains almost total and has become even more restrictive since the disengagement. In fact, Gaza's economic situation has steadily worsened since disengagement with a solid majority of the population unemployed, living under the poverty level of \$2 per day.

Initially, Palestinians had high hopes of new investments and an economic revival. Israelis and Palestinians had signed a 'border crossing' agreement as a result of the direct involvement of U.S. Secretary of State Condoleeza Rice. However, with the victory of Hamas in the January 2006 Palestinian legislative elections, Israel has suspended implementation of this agreement, resulting in the closure of the main border crossings from Gaza into Israel and the West Bank, upon which the Gazan economy is so heavily dependant for export of goods and for laborers seeking work. With no control over land borders, the sea or the air, the downward economic spiral is inevitable.

The international economic embargo has compounded the damage already inflicted by Israel's repeated closures of Gaza's borders. Most of an entire harvest has rotted while awaiting shipment. For several months Gaza has been living a hand-to-mouth existence. More than once the Strip has run out of critical staples like flour, sugar, and salt. Added to this is the fact that international aid cuts have resulted in the non-payment of salaries to the Palestinian public sector upon which 43% of the Gazan population depends.

In 2003, international aid agencies compared the economy of the Gaza Strip to countries in sub-Saharan Africa. Malnutrition was endemic, poverty rates were over 50 percent, and unemployment was chronically high. The situation is far worse today. The World Food Programme (WFP) estimates that in June 2006, prior to the latest Israeli offensive in Gaza, 70% of Gaza's population was already unable to cover their daily food needs without assistance. On July 8, 2006 the U.N. reported that restrictions on humanitarian supply lines had resulted in a backlog of over 230 containers of food awaiting Israeli permission for delivery through the Karni crossing into Gaza.

In the longer-term, the damage caused by the current crisis will further the deterioration of the Gaza Strip. The destruction of Gaza's power plant increases Gazan dependency on power provided from an outside source, the Israel Electric Company. Similarly, the reduction of exports from the Gaza Strip to Israel has undermined local productive capacity, cut revenues and increased dependence on Israeli-imported goods. In this context, the opening of access through Karni crossing for imports and humanitarian aid only provides a short-term relief to households struggling to survive. A sustainable solution requires the unimpeded access and movement for Palestinian goods and labor out of the Gaza Strip and into Israel and abroad.

## **6. Is there a Way Out of the Current Crisis?**

If there is one consistent thread in the history of the Israeli-Palestinian conflict, it is that there is no military solution for either side. Neither buffer zones, the firing of Qassam rockets, collective punishment, suicide bombings, or targeted assassinations will result in the capitulation of one side. The only possible solution is a negotiated political one, based on the establishment of a truly independent and viable Palestinian state based on the 1967 borders with its capital in East Jerusalem, living in peace with Israel.

Given the deep level of mistrust between the two sides, the United States remains the only party able to use its considerable influence over both sides to defuse the current crisis in the short term and secure a political settlement in the long term. Historically,

whenever the U.S. becomes actively involved, the situation improves, often dramatically. The most recent successful U.S. intervention was when Secretary of State Condoleezza Rice flew to the region to assist former World Bank President James Wolfensohn in breaking the deadlock between the Israelis and Palestinians over efforts to secure the movement of goods and people between Gaza and the outside world.

However, all indications are that the U.S. sees the current time as a waiting period, with no apparent desire to respond, propose or intervene. With attention diverted in Iraq, Iran and North Korea, only two aspects of the crisis interest the U.S. at the moment: facilitating humanitarian aid to Palestinian civilians, and quietly helping Abbas so that he is not accused of cooperating with the Bush administration.

Unfortunately, this approach will not defuse the current crisis and will make a return to negotiations harder. In terms of addressing the current escalation, the rough outlines of a way out are the following: Hamas must release the captured Israeli soldier, reinstate the truce and stop all firing of rockets into Israel. Israel must end its Gaza incursion, cease disproportionate military action in the occupied territories including targeted assassinations, and release recently jailed Hamas ministers and parliamentarians as well as Palestinian prisoners who are held in administrative detention without charge.

Achieving this will require far more active and assertive third party mediation, especially by the United States, than has been the case so far. What is missing so far is the will to do so.