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Thirteen Years After the West Bank-Gaza Strip Split: Phased Policy Alternatives Between Reunification and Separation

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On July 2, 2020, Jibril Rajoub, member of the Fatah Central Committee, and Saleh Al-Arouri, deputy head of the Hamas political bureau, held a joint press conference to announce joint plans to confront the Israeli annexation plan. The joint statement issued by the two men comes after a rift of more than two years. The statement did not refer to a vision of how to end the split and restore unity after thirteen years of internal Palestinian division. The ability of this meeting and subsequent dialogue to bridge differences between the two sides is unclear.

The solutions proposed since the 2011 Cairo Agreement to restore unity have failed to reach the intended goal, in part because of their ambitious goal of restoring full reunification. This failure reflects the inability to overcome existing obstacles as both sides refuse to abandon their goal of dominating and controlling the other while strengthening their own positions and manipulating the political system. Today, we remain unable to develop a unified Palestinian vision able to overcome this division or put in place interim solutions to end it. Indeed, the Palestinian public seems to have lost hope of a quick fix as the results of a poll conducted by the Palestinian Center for Policy and Survey Research (PCPSR) in June 2020 reveal that about two-thirds of the public are pessimistic about the possibility of restoring unity in the near future.¹

Over the years of the split, a review has taken place of the nature and form of the Palestinian Authority's administrative system and its relationship to the vision for the Palestinian political entity. This review sought to examine various organizational concepts, such as centralization vs. decentralization, integrative vs. federal or even confederal unity. Moreover, during the past thirteen years, the gap between the West Bank and the Gaza Strip has widened, not only due to the division, but also due to the totality of cultural, social, economic and legal factors and developments. The gap in citizens' perception in the West Bank and the Gaza Strip has also widened, with increasing feelings of isolation and neglect among residents of the Gaza Strip, matched by a feeling of frustration and distrust in the political system and the future of the two-state solution.

In light of the current deadlock in the efforts to restore full unity, this *critical brief* aims to review three phased or temporary alternatives: a confederation, a federal system, and a decentralized administration. The assessment of each of these alternatives is based on four main considerations: (1) the ability to shorten the transitional period to end the split, (2) acceptance by the Palestinian public, (3) the ability to protect the goal of state-building in the context of the Palestinian-Israeli peace process, and (4) the ability to positively affect a transition to democracy in the Palestinian political system.

¹ See the Palestinian Center for Policy and Survey Research website: <http://pcpsr.org/en/node/813>

(1) Background: why this paper?

The restoration of unity is of great importance to the Palestinian people as a supreme national interest. But the gap widens between the positions of the two rival parties whenever the reconciliation dialogue affects their interests, status, or gains. Division and discord are also more entrenched with the passage of time. After thirteen years, the possibility of restoring unity has become more difficult than it was at the outset, due to institutional changes, cultural developments, and social structures that have evolved over time in order to accommodate and deal with the split.

The dialogues and signed agreements have failed, whether between Fatah and Hamas or the collective agreement signed by the Palestinian factions starting with the 2011 Cairo Agreement, through the Doha Agreement, the Beach Camp Agreement, and the October 2017 agreement to hand control of PA institutions in the Gaza Strip and management of the border crossings to a unity government. Successive governments have failed to unify institutions and create conditions to hold general elections, whether legislative or presidential. The last attempt to end the division, led by the Central Elections Commission, headed by Dr. Hanna Nasser as ‘mediator’, which aimed to conduct legislative elections as a step toward presidential elections and the restoration of unity, has also failed when the expected presidential decree was not issued, on the pretext of uncertainty about the possibility of holding these elections in Jerusalem. It seems that the conflicting parties still believe that they can achieve their aims to neutralize the other within the areas of their control, or take the reins of the political system while not allowing others access or participation. This is no longer feasible due to objective factors and the overriding forces of geography, material ability, and popular support.

Prevailing pessimism

Opinion polls by PSR² show the public to be pessimistic on reconciliation and restoration of unity in the near future. Ending the division and unifying the West Bank and Gaza Strip enjoys a wide public support as a supreme national interest. Results of PSR Poll #75, conducted in February 2020, show a 90% support (89% in the West Bank and 91% in the Gaza Strip) for ending the division and unifying the West Bank and the Gaza Strip as a response to the Trump plan and the Israeli annexation threat. Yet, only 29% of the public are optimistic about the prospects of reconciliation while 64% are not, according to the results of a PSR poll conducted in June 2020. Also, 41% believe that unity will not return and two separate entities will be established in the West Bank and Gaza while 40% believe unity will return, but after a long period; only 12% believe that it will return in the near future.³

Division widens the gap between residents of the two regions

In addition to the previous findings, PSR’s February 2020⁴ poll shows important attitudinal differences between residents of the West Bank and the Gaza Strip on various issues, with a gap of more than 20 points, in some instances. For example, while 25% of Gazans see the continuing blockade and the closing of the Gaza’s border crossings as the top priority problem for the Palestinian Authority, only 8% of West Bankers feel the same. The same variation is reflected in the primacy of fighting corruption in PA institutions, with a difference of 23 points: 34% in the West Bank see it as the top priority, compared to 11% in the Gaza Strip.

The differences are wide in the level of religiosity with 30% of West Banker describing themselves as religious, compared to 50% of the Gazans; 67% of West Bankers describe themselves as somewhat religious, compared to 44% in the Strip. The gap increases by about 28 points in the evaluation of the performance of President Mahmoud Abbas since his election, with 77% of Gazans indicating dissatisfaction, compared to 49% in the West Bank. A difference also appears in the issue of holding elections even if, unlike the

² See the public polls of the Palestinian Center for Policy and Survey Research: www.pcpsr.org

³ See, <http://www.pcpsr.org/en/node/813>

⁴ See, <http://pcpsr.org/en/node/799>

previous legislative and presidential elections that took place in 2005 and 2006, it results in voting by Jerusalem residents in polling stations outside the city, with 51% of West Bankers, compared to only 37% of Gazans supporting such electoral arrangement. There is a gap of 11 points between the opinion of the two groups in assessing the value of the Palestinian Authority, with 51% of West Bankers describing it as an asset for the Palestinian people, compared to 39% in the Gaza Strip. Conversely, 55% of Gazans see the PA as a burden on the Palestinian people, compared to 42% in the West Bank.

The gap increases to 21 points in the level of satisfaction with the Palestinian leadership's response to the American plan, with 47% of West Bankers, compared to only 26% of Gazans, satisfied with that response. There are also differences on what should be done by the Palestinians in response to the Trump plan and the Israeli annexation threat, with 81% of Gazans in favor of a resort to armed struggle or a return to an armed uprising, versus 53% in the West Bank. Moreover, 59% of Gazans, compared to only 36% of West Bankers support a dissolution of the Palestinian Authority. Finally, 49% of Gazans, compared to 29% of West Bankers, support the abandonment of the two-state solution and embracing a one-state solution.

Effects of the split on the economic gap between the West Bank and Gaza Strip

Thirteen years of division have led to profound transformations in the economy of the Gaza Strip compared to that of the West Bank. This has been partly the result of the Israeli blockade of the Gaza Strip, that has continued for more than fourteen years, and repeated Israeli wars that have destroyed infrastructure, individual property and economic establishments, leading to a sharp decline in economic development. Additionally, the gap has been caused by the separation from the West Bank, which has received economic support from both international donors or broad government spending, whether in employment or investment in various sectors, as well as the flow of labor in Israel.

Some of the main economic indicators point to wide economic gaps. The poverty rate in the Gaza Strip for 2017, according to the Palestinian Central Bureau of Statistics, is 53%, compared to only 13% in the West Bank. Unemployment in the Gaza Strip is also three times higher than that in the West Bank (45% versus 15%).⁵ The average daily wage for workers in the private sector drops to NIS 44 in the Gaza Strip compared to NIS 118 for workers in the West Bank. The total number of wage employees in the private sector who are paid less than the minimum wage (i.e., NIS 1,450) is about 109,000 workers, of which only 24,300 are found in the West Bank (representing about 22% of the total wage employees in the private sector in the West Bank) with a monthly wage rate of NIS 1,038, compared to 84,400 wage employees in the Gaza Strip (representing about 78% of the total wage employees in the private sector in the Gaza Strip) at a monthly wage of no more than NIS 700.⁶

According to the 2018 indicators of national accounts in Palestine, the gross domestic product was \$15.6 billion, of which the West Bank contributed about \$12.8 billion versus \$2.8 billion only by the Gaza Strip. Per capita GDP in the Gaza Strip is about a third of that in the West Bank (\$1,458 compared to \$4,854).⁷

The Future of democracy

The split has halted the main pillar of the political system, free elections to choose one's own representatives to the Palestinian Legislative Council (PLC) and elect the President of the PA. Ten years have passed since 2010, the date for the end of the term of the President and the PLC, according to the election law which the 2006 elections were based on.

The holding of Palestinian elections is essential to build a democratic system that enjoys legitimacy. The lack of elections in the West Bank and the Gaza Strip deprives the political system of the ability for democratic transition, impedes the right of citizens to choose their government representatives, and increases the

⁵ Palestinian Central Bureau of Statistics, Palestine in Numbers, 2019. Ramallah, 2020: <http://www.pcbs.gov.ps/Downloads/book2512.pdf>

⁶ See Palestinian Central Bureau of Statistics: http://www.pcbs.gov.ps/portals/_pcbs/PressRelease/Press_Ar_13-4-2020-lab.pdf

⁷ *Ibid.*, p. 60.

political deadlock by the continued erosion of institutional legitimacy of the political system. There is no doubt that the lack of elections deprives PA institutions of accountability and legitimacy, keeps the judiciary subject to executive interventions, restricts public freedoms and human rights, and undermines the independence and pluralism of civil society.

Regional conflict and axis at Palestinian expense and continuation of the Gaza blockade

Thirteen years of internal division have transformed the Palestinian issue to become one of the components of the regional conflict. The alignment of Palestinian parties to regional powers and axis have also weakened the Palestinian front and limited the possibility of restoring unity due to the disputes between those outside forces. Palestinians, especially in the Gaza Strip, have been subjected to additional burdens resulting from regional conflicts.

Becoming part of the regional rivalry and scattering Palestinian and regional efforts while failing to establish a legitimate governing body, have made it more difficult to end the Israeli blockade. Instead, it gave Israel the opportunity to take advantage and gain acceptance for its imposed blockade by some international powers and kept the attention paid to the Gaza Strip restricted to humanitarian assistance, without regard to the Palestinian political needs of ending the occupation and establishing an independent state. This situation has also reinforced Israel's claim that there is no peace partner capable of speaking on behalf of all Palestinians.

(2) Possible alternatives to full reunification

The widespread public desire to restore unity invites the political elite to consider temporary alternatives to a return to 'full' integrative unity, such as a federation or confederation which could provide a form of phased or temporary partial unity between the West Bank and Gaza. There is no doubt that a return to full unity-- represented by political and administrative control by the center (the capital) over the remaining parts, the existence of unified budgets, a single tax system, and the setting of developmental priorities and the control over public security by a single political authority-- is the best option to preserve territorial unity that the Palestinians seek to ensure in any future agreement with Israel. It is also the broadest expression of Palestinian nationalism, in the absence of fundamental differences in cultural structures. But the rival groups have failed since the 2011 Cairo Agreement to achieve this goal. The impeding dynamics of the rivalry, the desire to have access to the privileges of governance and its control, have remained in place. This brief presents three temporary alternatives to a possible restoration of unity between the West Bank and the Gaza Strip with the aim of overcoming the split and preventing it from leading to a permanent separation:⁸

Alternative one, a confederation: This temporary alternative is based on the establishment of two entities or "states," one in the Gaza Strip and the other in the West Bank. The two would be separate but related through joint economic relations and the unification of external political positions within a joint council addressing the international community. This alternative offers the possibility of building separate institutional systems and granting them legitimacy through holding legislative and presidential elections in both states. It allows each state to choose the form and limits of its political system, and to select its economic system in accordance with its needs. But this alternative increases the risk of cementing separation and raises fears that it will not be possible to return in the future to full unity. Likewise, it raises the danger of Israel exploiting and marketing to the world that the Palestinian state already exists in the Gaza Strip, strengthening Israel's control over the West Bank and implementing its ambitions to annex and control it. Also, it enables Israel to maintain its blockade of the Gaza Strip, "the hostile state controlled by Hamas." In addition, there is a continued risk of failure to

⁸ For an early review of such ideas, see, Khalil Shikaki, **West Bank and Gaza Strip: Future Political and Administrative Relations**, Jerusalem: The Palestinian Academic Society for the Study of International Affairs (PASSIA), 1994, pp. 91-116. Likewise, see Jihad Harb, **Opportunities and Obstacles to Restoring Unity between the West Bank and Gaza: Changes in the Political System and Public Administration since the Split**, Ramallah: Palestinian Center for Policy and Survey Research, 2011, pp . 17-19.

build a democratic system in either of the two states given the absence of any general elections for fourteen years.

Alternative two, a federation: A federal system is one with political and administrative decentralization, so that each “region” undertakes different economic policies, taxation systems, and budgets. The legal and educational systems may also be different. It allows control by the local authorities over the security forces. The local authorities derive their political and administrative jurisdiction from a political constitutional decision. The federal government controls security and foreign relations and signs agreements with outside powers.

This alternative maintains Palestinian central unity in a single state, while taking into account the needs, circumstances, and economic and cultural particularities of the population of each region separately. It offers a path to a democratic transition in each region and at the national level. A reunification of the institutional systems, as a transitional stage, allows for a gradual return to a fuller unity of the two regions. This alternative however preserves separation given the existence of two different legal systems, with each region adhering to the correctness of its regime. Separation might be strengthened in the presence of two systems of institutions competing for resources and jurisdiction leading to elite conflict over interests, influence and powers.

Alternative Three, decentralization: Decentralized unity represented by a centralized political and decentralized administrative authority is a third alternative to full unity. In this case, two regional administrative powers coexist in the West Bank and Gaza Strip. The two centers of administrative power coordinate the plans and efforts of the local authorities in each region, as each region has a degree of internal economic and administrative homogeneity with which it can be considered an independent unit capable of crystallizing its individual developmental plans in light of general economic policies laid down by the central authority. In this system, the central authority assumes control over major decisions and adopts a single economic policy, while regional and local authorities adopt local tax systems, separate and distinct local budgets, and common elements in the legal and educational system at the state and local levels. Central, regional and local authorities cooperate in controlling the security forces according to specific rules, which reduce the grip of the central authority on the security services and contributes to enhancing their professionalism.

One of the advantages of this temporary alternative is that it maintains the political unity of the West Bank and Gaza Strip and it is the closest to full reunification. At the same time, it takes into account the needs, circumstances and economic and cultural capacities of the population of each region separately. It provides the means for a democratic transition at the national and local levels and promotes local development on the basis of administrative decentralization in the country. However, the fear remains of persisting partisan domination in the West Bank and Gaza Strip over the local establishment, on the one hand, and control of their security forces and the expansion of their separatist culture in the newly created institutions, on the other.

Conclusion:

There is no doubt that finding a way out of the current deadlock on the road to restore unity requires an open mind and new thinking in looking at the nature of the relationship between the West Bank and the Gaza Strip. This scrutiny should be done in the light of the multiple experiences in the world around us. Failure to do so risks the inevitability of a permanent separation over time. It also requires providing a solution that creates a balance between the interest in protecting the political system, preserving cultures, protecting the particularities of the population, and the special circumstances of each geographical area, with tools to link them effectively.

Under today’s conditions, decentralization, represented by the existence of a centralized political and decentralized administrative authority, as stated in the third alternative above, is the most capable of creating this balance. It provides mechanisms and tools for national fusion and promotes political unity between the

West Bank and the Gaza Strip, while taking into account the needs, circumstances and economic and cultural capacities of the people of each region separately. It also allows the adoption of local development on the basis of administrative decentralization in the country, and gives the possibility of holding general elections to enhance the legitimacy of the political system and reduces the risks of a democratic transition. This alternative reduces the risks of permanent separation, which is a risk present in the two other alternatives, and is consistent with the position of the majority in Palestinian public, a majority of which (60%) rejects⁹ other alternatives, such as a confederation. Decentralization also helps to reduce the suffering of the Palestinians in the Gaza Strip, unifies Palestinian efforts to confront Israeli colonization, and strengthens the official political position in international fora. In addition, with time, it can help bypass the existing obstacles to reach the full unity desired by the majority of the Palestinian people.

⁹ See results of Poll #76 of the Palestinian Center for Policy and Survey Research: <http://pcpsr.org/sites/default/files/Poll-76-Arabic-Full%20Text.pdf>

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