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Palestinian Future after the Israeli Reoccupation of the Gaza Strip



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The Palestinian people confront one of the most difficult challenges they have faced since the 1967 occupation of the Palestinian territories of the West Bank and the Gaza Strip. Given Israel's declared twin objectives in its current invasion, to destroy Hamas' military capabilities and prevent its return to govern, the reoccupation of parts or the entire Gaza Strip is all but inevitable. An explicit or implicit softening of Israel's goals, highly unlikely at this time, could significantly change this inevitability by opening the door, in the short term, for a ceasefire agreement, and in the long term, for future indirect negotiation between Hamas and Israel on possible long-term arrangements for the future of the Gaza Strip. If Israel's current goals do not change, the war will continue for a long time and the Israeli tanks will reach all parts of the Gaza Strip. If so, what happens next? What should the Palestinians and others do?

The following are some of the questions that this Brief addresses. The most immediate question must address Israel's ability to stay and consolidate that occupation given the most likely outcome that an armed insurgency will be immediately encountered. Facing that, would the Israeli army stay and for how long? If it stays, would it assume responsibility for civilian service delivery to the population or convince others, including international and regional players, or even the PA, to do that instead? Alternatively, would it unilaterally withdraw thereby creating a vacuum for all players, including Hamas, to fill? Or would it withdraw, in part or full, as part of new political and security arrangements? What kind of arrangements would be viable enough to produce a sustainable outcome? In this context what role should the international community play and who might be Israel's Palestinian partner for such outcome?

In the meanwhile, what is likely to happen to the Palestinian Authority (PA) and its control in the West Bank? Would the current West Bank limited armed clashes and the settlers' violence lead to a large-scale violent eruption? If that happens, would the PA security forces stand on the sideline, join the armed clashes, or alternatively opt for maintaining security coordination? If the PA survives the current onslaught on the Gaza Strip without too much damage, and if new sustainable political arrangements are put at the table by the international community at one point in the near future, unlikely as that might be, what would be required from the PA to do to make itself acceptable to its own people and a viable player to others, one that can help restore governance, including law enforcement, to the Gaza Strip?

Background:

In its effort to end the limbo status in which the Gaza Strip found itself in since 2007 and make its control over it more sustainable in the long term, Hamas launched a massive armed attack on Israel in

the hope of bringing it to the negotiating table. While Hamas might have hoped to negotiate with Israel a long-term arrangement for Gaza, one free of siege and blockade, the huge military success of the October 7 attack, the widespread scenes of great civilian killing that was committed by the fighters from Hamas and other groups, and the taking of many civilian hostages, including women and children, created a completely different reality that Hamas might not have anticipated. The rage in Israel and in many other countries provided the current most extreme government in that country's history with the necessary sympathy and unquestionable support for its goals of eradicating Hamas even if that meant destroying large parts of the Gaza Strip and inflicting a second Nakba on its civilian population. It gave it the political and moral support for the deliberate infliction of a great deal of human suffering on Gazans leading to a level of civilian bloodshed unseen before in all Palestinian-Israeli conflicts.

It goes without saying that Hamas' interest in ensuring its survival and the scenes and magnitude of the unprecedented level of Palestinian civilian deaths and destruction will generate determination and massive public anger and demands for revenge. This will ensure the continuation of a stiff armed resistance and the war will seem unending. Israel will find itself consolidating its occupation while seeking a political arrangement that would allow the delivery of humanitarian and other services while keeping its military control over the entire Strip. This, however, will not be a sustainable outcome as Israel's casualties will be on the rise and the humanitarian conditions will probably continue to worsen despite the efforts of international organizations, such as UNRWA and others. Given, Israel's declared position that it will continue to indefinitely maintain an overall security control over the Gaza Strip, it will be impossible for any regional or international body to agree to replace the Israeli army in any part of the occupied territories. Similarly, it is impossible for the PA in this context to resume any substantial service delivery, let alone have any law enforcement role.

Who will be in control?

Under these conditions, Israel will have to decide whether to stay or leave. If it decides to stay, it could come under pressure from its own right wing groups to rebuild the previous Gazan settlement enterprise and at the same time it will find itself pushed into more and more service delivery to 2.3 million Palestinians in an environment in which the economy and the basic infrastructure are in total disrepair on top of the destruction of tens of thousands of homes, dozens of schools, and many hospitals. The Israeli army will have to devote part of its forces to the management of the civilian life but without being able to enforce law and order. While it would be difficult today to see the rebuilding of Israel's pre 2005 Gaza settlements, the dynamics of Israeli domestic politics, in an environment of a prolonged occupation, might force this issue to become part of the domestic bargaining process.

Alternatively, under pressure of daily casualties and the desire to avoid a situation in which it would be forced, as an occupying power, to deliver services to the civilian population, the Israeli government might decide to withdraw from most of the Gaza Strip unilaterally and gradually. This outcome is highly unlikely, but in the absence of partners willing to accept Israel's conditions for a change in the status quo, it might decide to begin such a gradual withdrawal in the hope that local, regional, or international service delivery providers might emerge, even if under Hamas' overall responsibility. Naturally, Hamas will fill the vacuum and, sooner or later, Israel will have no choice but to arrive to the conclusion that it needs to reach short- or long-term de facto arrangements with that organization. The advantage to Israel in such an outcome is that it relieves it from having to come up with answers to difficult questions about the future of its occupation of the Palestinian territories, as we see below.

Without a de facto arrangement with Hamas, Israel might find non-Hamas partners willing to engage it in a process leading to agreed-upon long term arrangements. This outcome is feasible under certain conditions, as we discuss below. But it is extremely difficult to see how this would unfold while a local insurgency is underway, that is, unless that outcome is coordinated with that insurgency. Similarly, it is difficult to see the viability of such a long-term arrangement if it is not part of a larger solution to the Palestinian Israeli conflict, one that ends more than five and a half decades of Israeli occupation. For example, whoever replaces the Israeli army will certainly want to know answers to three questions: the source of its authority, the end game, and the duration of its stay. None of the international or regional players will agree to derive their authority from the occupying power and Israel will find it difficult to endorse a UN or a third-party source of authority. Moreover, the current Israeli government is certainly not interested in defining the end game, and therefore, it will view the arrangements as de facto and the duration indefinite.

PA in control?

The only body that will agree to assume control over the Gaza Strip without too much quarrel over the source of authority or the duration of its mission is the one that already claims de jure, even if nominal, control over it, i.e., the PA. In fact, other than Hamas, Israel has no other partner. There are other advantages, to all concerned parties, to an Israeli partnership with the PA. It already provides many services to Gazans, and it is a party to the Oslo agreements and the de facto and de jure arrangements reached in 2005, in the wake of the Israeli unilateral withdrawal from the Gaza Strip, and all these, amazingly, continue, more or less, to define Israeli-Palestinian relations to this day.

Nonetheless, the PA too will insist on the clarity of the end game, as indeed it has already done. This condition requires the revival of the two-state solution, the development of a plan for what it means and a roadmap for how to get there, and the restoration of a viable diplomatic path and direct Palestinian-Israeli negotiations. It goes without saying that the current Israeli government is not willing to contemplate such an end game. This conclusion might explain why neither the US nor any other international actor has stepped forward to provide such end-game clarity.

Yet, even if a newly elected Israeli government agrees to discuss such a vision, the current PA leadership lacks legitimacy in the West Bank, let alone in the Gaza Strip. The PA is already facing difficulties running the West Bank. If presidential elections were held on the last day before the eruption of the October the 7th war, in which three candidates competed, Marwan Barghouti from Fatah, Ismail Haniyyeh from Hamas, and president Mahmoud Abbas, also from Fatah, only 6% of West Bankers say they would vote for the current president. In that same poll, which was conducted by PSR for Wave 8 of Palestine's Arab Barometer (AB-8) during the last week before the current war started, 85% of West Bankers demanded the resignation of the PA president.¹ In a PSR survey on public threat perception of settler terrorism conducted in the West Bank before and during the current war, about half of the West Bankers favored the formation of armed groups as the most effective means of protecting their communities from settlers' violence; about a fifth picked the deployment of the PA police and another

¹ PSR has not yet published the results of its 8th wave of the Arab Barometer. But Amaney Jamal and Michael Robbins published some of the finding [here](#).

fifth favored protection from the Israeli army.² Indeed, PSR's AB-8 poll showed that two thirds of West Bankers believed that the PA is a burden on the Palestinian people.

Moreover, the West Bank is boiling and could erupt into widescale violence if and when the PA security services lose further control on the ground. As Israel continues to weaken the PA politically and financially, further squeeze could lead to a mutiny in the security sector ranks. Already individuals with family links to armed groups in the northern parts of the West Bank have found themselves siding with their family members and leaving their services. An expansion of the armed groups to other locations could produce further fractures within the security forces. Similarly, dissent within Fatah and its youth organization, the Tanzim, could bring about significant radicalization leading to clashes with the security services and the possibility of an internal implosion. An explosion in the West Bank could open another military front against Israel and might require moving forces from the Gaza front to that of the West Bank.

Is there a way forward?

Israel and the international community could strengthen the PA and preempt such outcome. This requires steps from Israel. These could include returning confiscated and withheld PA financial resources to the PA, stopping settler terrorism in the West Bank, stopping the army's daily incursions in Palestinian cities, facilitate the reunification of the West Bank and the Gaza Strip, assert commitment to the two state solution and stop settlement expansion, transfer parts of area C to the PA control, and agree to resume negotiations with the PLO for a permanent agreement. Obviously Israel is unwilling to do so because the current Israeli government is made up of right wing extremists who in fact seek to weaken the PA further in order to open the door wide to annexation of parts of or all of the West Bank.

Only the international community, led by the US, can, in theory, outline the plan referred to above. If so, it should embed it in a vision for regional peace within the context of the Arab Peace Initiative, one that provides for Arab-Israeli normalization in which Palestinian-Israeli peace along the two-state solution is a central component; and it needs to articulate a roadmap to get there, one that takes into consideration the immediate steps outlined above to strengthen the PA. There is no evidence at this time that the US is contemplating such a declaratory change in its current policy toward the Arab-Israeli conflict.

Yet, even in the best case scenario in which the international community provides the vision and the road map and a new Israeli government, under pressure from the US and the major regional powers, agrees to strengthen the PA and revive the two state solution, the current PA, due to its lack of legitimacy and credibility in the eyes of the Palestinian people is not in a position to be a viable player. But it can be made one if the preconditions described above are indeed met.

If the PA survives the current onslaught on the Gaza Strip without too much damage, and if new sustainable political arrangements are put at the table at one point in the near future, unlikely as that might be, what would be required for the PA to do to make itself legitimate in the eyes of its public and a viable player in the eyes of the region and the international community, one that can help restore governance, including law enforcement, to the Gaza Strip and serve as the midwife for Palestinian statehood?

² <https://pcpsr.org/en/node/957>

Under these conditions, the Palestinians will find themselves confronting their current two most difficult challenges: first, how to produce a legitimate political leadership acceptable to all Palestinians in the West Bank and the Gaza Strip, and second, how to reunify the West Bank and the Gaza Strip into one democratic political system. In addressing these two issues, it goes without saying that the current PA leadership has failed the Palestinians. Similarly, the conditions that led to the current wave of unprecedented violence must be confronted and addressed. Only the Palestinians can change their leadership; and only they can build a democratic political system; and only they can begin an internal process of reckoning to prevent the current Gazan devastation from happening again or from happening in the West Bank. The lesson from the past few decades in the Palestinian experience and in the entire region is that no one can successfully impose regime change on other people.

The steps the Palestinians should take within the context described above begins with the integration of all Palestinian political forces into a formal political process, one whose vision is to build strong and accountable political institutions, while enjoying complete monopoly over coercive force, a democratic political system. This process should allow Hamas to be brought back into the formal PA political process while acknowledging the PA's monopoly over force. This should be followed by the formation of an agreed upon apolitical transitional leadership and government, one that does not derive any legitimacy from the PA president nor report to him. Indeed, in this technocratic government that represents faces acceptable to all Palestinian factions, including Hamas, the prime minister must be granted the full jurisdiction of the office as stipulated in the Basic Law while the jurisdiction of the president must be consistent with that same Basic Law but without undermining his position as the chairman of the PLO Executive Committee, that paralyzed and dysfunctional body.

The most immediate tasks of the transitional leadership must be the restoration of a truly democratic Palestinian political system. The judiciary must be revived as an independent body, free speech must be restored, the police and similar security services must be made accountable to the prime minister, the space for civil society must be significantly expanded, and all controversial presidential decrees that have over the past decade marginalized the judiciary, dismissed the parliament, destroyed liberties and civil society's pluralism, and established a politicized constitutional court that rubber stamped other unconstitutional presidential decrees, must be suspended. Within a year, all armed groups, including those of Hamas, must agree to disarm and to accept integration into the Palestinian security sector. Following that, Palestinians must hold presidential and parliamentary elections within a year or two after the formation of the transitional leadership in which all factions participate. Acceptance of the democratic process, the peaceful transition of power, and the PA's monopoly over coercive force must be the only political preconditions for participation.

In Conclusion:

It should be plainly clear that none of the above will be possible without a comprehensive vision for the two-state solution, without a detailed roadmap to reach it, and without a viable negotiating process between Israel and the PLO within an Arab and regional framework based on the Arab Peace Initiative. We are very far from such a development. No regional or international leadership is willing to embrace it and no Israeli partner is willing to accept it. Israel may soon find itself returning to the implicit arrangements that existed with Hamas in the Gaza Strip before October the 7th because it absolves it of providing answers to the difficult questions posed by the alternative. So far, the international community and the regional Arab leadership seem complicit in this outcome.

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