

## EDITORIAL

Ladies and Gentlemen,  
Friends of the Friedrich-Ebert-Stiftung,

In the latest issue of *Sayasat* magazine Palestinian researchers discuss the current challenges to Palestinian politics. After receiving statehood recognition at the UN General Assembly in November 2012, new strategic avenues are opening up for Palestinian decision-makers. Hunger strikes and mistreatment of Palestinian prisoners have put their fate in the focus of public concern over the past few months. Dr. Abdullah Abu Eid argues that Palestinian membership in international organizations will have a positive impact on the legal status of prisoners and detainees. Similarly, joining the International Criminal Court has become an option for Palestine. The potential benefit of this move is being explored by Dr. Mohammad Sharaqa in this *Sayasat* issue.

At the same time, the challenge of reconciliation between rivaling factions Hamas und Fatah still persists. One component of the reconciliation efforts is the reform of the Palestine Liberation Organization, PLO. Since the founding of the Palestinian Authority, the role of the PLO has greatly diminished. Discussions for reform to revitalize the organization not only pertain to

the inclusion of all political factions such as Hamas and Islamic Jihad, but also relate to the organization itself, its charter and its structure. Dr. Ahmad Misleh analyses the different viewpoints of the major Islamic forces and Fatah as well as other PLO factions on the question how and according to which principles the reform process should be conducted.

Palestinian youth are another source of concern to *Sayasat's* contributors: Young people in Palestine are increasingly alienated and marginalized from political processes due to a number of challenges. For example, ill-oriented education curricula and their resulting skills mismatch to the labour market, a lack of perspective and mobility and missing opportunities to participate in decision-making processes contribute to a high level of frustration among the young generation.

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We wish you a pleasant reading experience!

## Seyasat Magazine Edition (23): English Summary

### Introduction:

In the editorial of its 23<sup>rd</sup> edition, *Seyasat* declares that the Palestinian situation has changed little, apart from the usual statements about the success of reconciliation and the resumption of negotiations despite the reality on the ground of continued settlement activities and oppressive measures against Palestinian prisoners, while Gaza remains isolated in the south. There is no doubt that the Palestinian political system requires further development to enable it to face the current challenges. Development must take into consideration the major transformations that have taken place in the world and in the region, the chances of achieving Palestinian liberation, and transformations within the Palestinian arena, primarily the internal divisions which have now lasted about six years.

*Title of Article: "The Need for a Palestinian Multilateral Strategy"*

*Author: Prof. Ibrahim Ibrash*

*Seyasat* starts this edition with a study by Ibrahim Ibrash, Professor of Political Science at Azhar University and former Culture Minister, entitled "The Need for a Palestinian Multilateral Strategy". Professor Ibrash discusses the need to develop a multilateral strategy that will break the current deadlock in the Palestinian situation. The first part of the study argues that the political crisis facing Palestinians is due to the absence of such a strategy. Since the onset of efforts towards a political settlement, Palestinian politics have been meandering without a clear strategy. This has led to a general state of political limbo among all sectors of society, starting with the ordinary citizen, the official, (Palestinian National Authority (PNA), the Palestine Liberation Organization (PLO) factions and ending with Hamas. The political compass of all parties failed to point to a clear direction and it is hard to hide this fact, especially in light of the Hamas coup against the PA and the PLO in June 2007.

The state of limbo felt by the PNA, the PLO and the Fatah movement is apparent in the indecisiveness about returning to negotiations on the basis of the signed agreements, or in the changed course of the peace process in line with new developments related to the recognition of Palestine as an observer state at the UN. There is also disquiet about popular resistance and a third Intifada, with the PNA fearing that an Intifada would result in loss of control in the West Bank or that Hamas might exploit the Intifada to seize authority. We can also sense the contradiction between the desire for reconciliation to revitalize the Palestinian national project and the fear of reactions by Israel and the US towards it.

There is also a sense of the absence of strategy within Hamas. Hamas sometimes talks about the liberation of all of Palestine and at other times refers to willingness to recognize a state in the West Bank and Gaza. Hamas rejects negotiations or any contact with Washington and Tel Aviv, then informally seeks dialogue or meetings with American or European officials, and is even rumoured to have had secret contacts with Israelis. Although Hamas talks of resistance, it has stopped its acts of resistance for some time now and prohibits those who want to launch such actions from the Gaza Strip. Hamas is more preoccupied with power than with resistance. At some point, Hamas said it wanted to achieve reconciliation, but then revealed itself to be working against reconciliation. Hamas announced that it had agreed with resistance groups to halt rocket firing from Gaza, while these factions responded by denying any such agreement.

Ibrash laments the Palestinian situation and argues that if we had a real national strategy, we would have common ground on which to strive for a national consensus. If a national strategy existed, the internal political division would not have occurred, reconciliation would not have failed and documents such as the Cairo Declaration of 2005, the National Reconciliation Document of 2006, the Cairo Agreement of 2008 and the Reconciliation Paper of May 2011 would not have remained ink on paper. If we had a national strategy, we would not have institutions that have lost constitutional legitimacy (according to the Basic Law). If a national strategy existed, we would not have been preoccupied with reciprocal accusations. If a national strategy existed, we would not have had two authorities and two governments that fight each other. Finally, if a national strategy existed, we would not have insisted on holding elections in order to decide on national priorities and leadership.

The essence of the aspired national strategy thrives on defining a comprehensive, clear goal that embraces all objectives of the Palestinian struggle against the occupation and that specifies consensual means and mechanisms to achieve this goal by reaching an agreement on the terms of reference that grant the Palestinian national project its legitimacy. Another important priority is to develop a leadership or a framework that will protect and represent the project and agree on national guidelines.

Ibrash moves on to discuss the mechanisms of building and implementing such a national strategy. He proposes that mechanisms must be created on two levels: an urgent and short term as well as a second, long-term strategic mechanism. These two mechanisms should be implemented at the same time.

First: a strategy to realize a *de facto* State and a strategy to strengthen the Palestinian leadership, with no one strategy taking priority over the other.

The second level is based on a multilateral strategy with four main goals:

1. Return to a strategy of national resistance;
2. Realization of a Palestinian state according to the UN resolution;
3. Rebuilding and reactivating the PLO according to the reconciliation agreements;
4. Ending the internal division, illustrated in two authorities and governments in Gaza and the West Bank.

Ibrash presents a set of proposals to rebuild and reactivate the PLO:

- To establish a founding council that supervises the process of reconstruction.
- To achieve reconciliation instead of holding elections.
- To reassess PLO departments and their headquarters.
- To identify resources that finance PLO institutions and activities.

- To consider problems related to the representative status of the PLO and its functions and develop new means of representation that enhances the PLO's status and its representation in Palestinian communities abroad.
- To seek a solution to the representation of Palestinians in Jordan.
- To undertake comprehensive efforts to determine the fate of the PA.

*Title of Article:* **"The PLO between the Necessities of Reform and Reconstruction"**

*Author:* **Dr. Ahmad Misleh**

Dr. Ahmad Misleh, Political Science Professor at Birzeit University, discusses the same issue as Dr Ibrash in a study entitled "The PLO between the Necessities of Reform and Reconstruction". He argues that the role of the PLO has diminished under the PA and the peace process with Israel to achieve the aspirations of the Palestinian people has failed. This failure is exacerbated by the Palestinian internal division between the West Bank and Gaza Strip following the second legislative elections in 2006 and Hamas seizing control over the Gaza Strip.

This situation has made the issue of PLO reform a pivotal theme and an indispensable part of the realignment of Palestinian internal affairs and Palestinian reconciliation.

The main question that the study attempts to answer is whether the reform of the PLO and the reform process hinge on institutional structures and their role on the reconstruction of the PLO on new foundations with a new charter, basic law and a new political program that includes core Palestinian groups such as Hamas and Islamic Jihad. The study raises several questions: What are the necessities involved in reforming the PLO? What are the viewpoints of Palestinian factions regarding the PLO reform process? What are the projects and proposals available to achieve this goal? Is success in reforming the PLO linked to Palestinian reconciliation or vice versa?

The study adopts a historical approach to answering these questions, reviewing the main stages in the formation of the PLO and the phases of its reform. Moreover, the study includes interviews with groups and factions on different aspects of the PLO reform.

The researcher finds that comprehensive reform of the PLO is essential, starting with the Palestinian National Charter, a national political program and political and legal aspects of the PLO. The status of the PLO as the sole and legitimate representative of the Palestinian people also ought to be reconsidered. The reform process must focus on organizational aspects such as the allowing political forces that are still outside the PLO (such as Hamas and Islamic Jihad) to join and on the reformulation of the National Council according to an agreed upon formula. The same must apply to the Palestinian Central Council and PLO departments. New departments are needed to respond to developments on the ground. After the reconstruction of the PLO, responsibilities should be divided between the members of the PLO Executive Committee and supported by qualified staff. Work should focus on expanding participation in the popular bases of the PLO, in addition to establishing effective supervisory and administrative bodies for the oversight of PLO institutions.

The reform and organization of relations between the PLO and the PNA are also a vital issue to ensure that the PLO is taken into consideration by the PNA; the PLO needs to set up mechanisms to monitor the performance of the PNA. A distinction must be made between the presidency of the PNA and the Chairman of the PLO with legal supervision that defines the relationship and jurisdictions of each. It is also essential to ensure the political, administrative and financial separation between the PLO and PNA institutions.

The researcher discusses the viewpoint of the major groups towards reform of the PLO. He finds that the differences between Palestinian groups and factions relate to the principles upon which reform must be based and the details of this process; this is the major difference between Islamic forces, such as Hamas and Islamic Jihad, and national factions such as Fatah and the other PLO groups.

Islamic forces, especially Hamas, view the process of reform as one of rebuilding the PLO once again through establishing a new charter based on the decision of the majority of the elected members of the Palestinian National Council and the Executive Committee following restructuring and being joined by Hamas and Islamic Jihad. This is what happened in 1968 when the PLO charter was amended with new articles after armed factions controlled the Palestinian National Council.

Although Hamas and Islamic Jihad have similar viewpoints on the principles needed to reform the PLO, only Islamic Jihad believes that the PLO still remains the sole framework available for the

Palestinian people due to its status as the body that enjoys Arab, Islamic and international legitimacy as a representative of the Palestinian people.

The Fatah movement does not oppose the amendment of the charter and the basic law of the PLO in principle and expresses the desire to introduce amendments to core PLO documents. Fatah believes that amendments must take into consideration the developments that have emerged in the Palestinian political arena since the Declaration of Independence in 1988 during the PNC term in Algiers, the signing of the Declaration of Principles between the PLO and Israel in 1993 and subsequent events in the establishment of the PNA by a decision of the Central Council. At that time there was the dual task of national liberation and building the pillars of the Palestinian state.

This was followed by the internal split between Palestinian forces, followed by the reconciliation agreement. Fatah believes that in order to develop the PLO charter and introduce amendments, a legal committee of constitutional experts must be selected via national reconciliation. This committee would have to reach to a final formula within a time frame and all results would be submitted to the PNC for final ratification.

***Title of Article: "Young People in Palestine: Complicated Reality, Increasing Challenges and Marginalized Youth"***

***Author: Mr. Salah Abdul Ati***

Salah Abdul Ati, a Gaza-based researcher concentrating on issues relating to youth and law, focuses his study “Young People in Palestine: Complicated Reality, Increasing Challenges and Marginalized Youth” on the conditions of young people in Palestine. He focuses in particular on the problems that lead to their alienation:

- 1) the Israeli occupation and its measures;
- 2) lack of attention by a divided and traditional society;
- 3) general feeling of despair, anxiety and fear of the future;
- 4) low self-esteem and lack of sense of society.

The researcher reviews the main challenges and needs of young Palestinians:

1. Economic challenges and needs, including poor prospects of finding jobs, high rates of unemployment and a low standard of living;
2. Social challenges and needs: these include problems related to the educational curricula, which fail to match scientific advances or the needs of the labour market. Moreover, there are problems related to vocational education and extra-curricular activities and poor equipment and infrastructure in education, along with the phenomena of violence in schools and universities and family disintegration.
3. Political challenges and needs: these are linked to the occupation and its measures that obstruct future development or prosperity. The Palestinian internal split adds further complexity and challenges for young people who are the fuel and victims of internal competition. The leadership has failed to fulfil its economic and social functions or meet the needs and aspirations of various social sectors, inciting further loss of hope among young people.
4. Institutional and legislative challenges and needs: the exclusion of young people from decision-making in institutions and at various leadership levels. Young people need more opportunities to have their voices heard by official institutions and decision-makers. Ministries, relevant institutions and NGOs need to set up a clear strategy to support the youth sector.
5. Developmental challenges and needs: these challenges require developmental participation, such as the presence of institutions and laws through which young people can demand their rights and freedoms, can present creative initiatives and exercise their right to vote. These institutions can provide mechanisms for dialogue and discussion and young people need to participate in the development process.
6. Cultural challenges and needs: the prevailing cultural tradition in our society does not support the development of young people and does not permit them to determine their future options.



Finally, the researcher finds that there should be a thorough increase of awareness about young people and youth engagement in activities that defend their rights and encourage participation in causes relevant to them. There is a vital need to engage young people in Palestine. Institutions and civil society organizations must empower young people, encourage their development and expand their options to provide them with the elements of power and hope. This requires the promotion of social and human rights by political and social organizations that allow the participation of young people through lobbying activities. Within the general context described above and seriously addressing the challenges that face young people and their needs, it is essential to build a unified social youth movement.

*Title of Article: "Recognition of the State and its Impact on the Legal Status of Prisoners"*

*Author: Dr. Abdullah Abu Eid*

In the essay section, Dr. Abdullah Abu Eid, former Professor of International Law and International Relations at al-Najah and Birzeit Universities, writes an essay on the “Recognition of the State and its Impact on the Legal Status of Prisoners” in which he stresses the potential legal ramifications of Palestinian officials taking advantage of statehood in favour of the Palestinian cause. Abu Eid warns that Israel may transform the recognition into a negative tool against Palestinian interests, especially in the field of refugees’ rights. New reasons to oblige Israel to commitment and respect for rules and agreements are not a prerequisite, especially as clear binding texts exist in international agreements. However, there is no doubt that Palestine membership of international organizations will have a positive impact on the legal status of Palestinian prisoners and detainees.

*Title of Article: "Potential Benefits of Palestine Joining the International Criminal Court"*

*Author: Dr. Mohammed Sharaq*

Dr. Mohammed Sharaq, Professor of Public Law at al-Najah University, writes on “Potential Benefits of Palestine Joining the International Criminal Court”. He explains the potential benefits for Palestinians regarding Israeli violations that fall under the jurisdiction of the International Criminal

Court and the mechanisms available to Palestinians internationally to track down Israeli war criminals.

Sharaqa proposes taking into consideration the following arguments:

1. As Israel is not a party to the Rome Statute of the International Criminal Court; according to Article 12, the court cannot enforce its jurisdiction on crimes committed by citizens of a country that is not party to the basic law unless the competent country accepts;
2. In addition to Article 12 of the Rome Statute stipulating the right of countries to join the charter, the public prosecutor of the court may argue that Palestine is not a member state and may reject the request to be party to the Statute, although Article 12 does not give details on member or non-member countries joining the court.
3. It is possible that the court may demand the trial of political leaders and military commanders of Palestinian factions collectively for their involvement in martyrdom operations against innocent Israeli civilians, from the court's perspective, especially inside the 1948 territories, or of PNA and Fatah officials who publically expressed support for operations by the Aqsa Martyrs Brigades.

*Title of Seminar:* **Relations between Egypt and Gaza**

The *Seyasat* seminar in this edition scrutinizes relations between Egypt and Gaza in light of Hamas control of the Gaza Strip and regional developments, especially Egyptian accusations against Palestinian groups of supporting the killing of Egyptian soldiers in Rafah and the fears expressed by Palestinian factions that Hamas is pushing Gaza into the arms of Egypt due to the common intellectual base between Hamas and the ruling party in Egypt, the Muslim Brotherhood. *Seyasat* played host to Dr. Ghazi Hamad, Undersecretary of the Ministry for Foreign Affairs in the former government, Dr. Riyad al-Eleh, Head of Political Science at Al-Azhar University, Dr. Adnan Abu Amer, Professor of the Palestinian Cause at al-Ummah University in Gaza, and Ma'moun Sweidan, a diplomat, political researcher and author. The roundtable session was headed by the Chief Editor of *Seyasat* Dr. Atef Abu Seif.

**Title of Article: "Curriculum of History and Identity: The Palestinians from Ancient Times to the Present Day".**

**Author: Professor .Basem Ra'ed**

In its public policies section, *Seyasat* presents a study on the Palestinian school curriculum by Professor Basem Ra'ed entitled "Curriculum of History and Identity: The Palestinians from Ancient Times to the Present Day". Professor Ra'ed proposes the need of a review of the Palestinian history curriculum, especially ancient history, heritage and the names of places. The current version of history in the PNA curriculum for elementary and preparatory stages and university courses is based on old information that mixes historical facts with religious considerations. In many instances, the curriculum is based on foreign non-Palestinian research based on religious history, in particular those in the Old Testament that roughly match Israeli Zionist claims.

Ra'ed notes that Palestinian students in Israel are taught history in the Israeli curriculum through a series of fabrications that aim to consolidate the rights of Jews to the Palestinian land. As described by a Palestinian researcher from the 1948 territories, it is a history that discredits learning and robs the student of the Palestinian history narrative. Ra'ed demands the introduction of changes to the PA curricula as an urgent matter. A review of the content can provide a more accurate version of historical phases supported by modern research and important discoveries that provide an alternative version of history that develops pride in identity.

For an effective Palestinian history curriculum, resources and work on all human periods of civilization in Palestine are basic requirements. Ancient history remains a challenge for Palestinians manifested in their ability to understand their character and in the ability of others to understand the Palestinian geography and cultural heritage. The true version of history has not yet been recounted. It is a story that includes historical discoveries and modern archaeological findings that confirm continued population in the region. Palestinian heritage extends over thousands of years and cannot be diminished or limited to one race or one religion. The new approach must be based on modern research that corrects the current version of history and re-interprets earlier discoveries. New excavation work using anthropological studies of customs, traditions and ancient languages is

required. There is strong evidence in the existing customs and languages of Palestinians that link them to ancient eras and the civilizations who lived in Palestine during those periods.

The Palestinian curriculum must include all historical periods of Palestine, from prehistoric times until the present day. Ra'ed proposes a debate and discussion that deals with history and cultural, religious and information heritage in a manner that encourages understanding of the rich past of Palestine; information that is independent of the traditional focus on a particular race or religion. We need to present to Palestinian young people a history that reinforces pride in identity, land and heritage.

*Title of Article: "Palestinian civil society and alternative globalization".*

*Author: Mr. Muhsen Abu Ramadan*

In the International Studies section, Muhsen Abu Ramadan presents a discussion of Palestinian civil society and alternative globalization. Head of the Board of Directors of the NGO Network in Gaza, Abu Ramadan is considered one of the main activists in civil society in Palestine. Abu Ramadan says that despite its capitalistic and monopolistic nature, globalization has facilitated many developments due to the information and telecommunications revolution, including the technical and electronic revolution, and allowed global cultural concepts to spread to mankind everywhere in the world. Thus, it is not necessary for third world countries to pass through the same phases of development as the countries and peoples of Europe prior to achieving the values of democracy, human rights and human development. In fact, these principles have become a standard frame of reference for justice, fairness, and modernization, regardless of the nature of economic and social development in the third world. This has led to the spread of the concept of civil society in the world in the same manner that concepts of democracy and human rights have become global values.

Based on this theoretical approach, Abu Ramadan discusses the special conditions under which civil society organizations emerged in Palestine prior to the establishment of the PNA in 1994. Civil society emanated from the experience of voluntary work and later adopted a professional nature in all areas: agriculture, health, youth, women, research and human rights. Civil society organizations contributed to a developmental philosophy oriented towards determination and resistance during the

first Intifada and moving to building of the PNA, especially in the areas of legislation, policies, the rule of the law, protection of public freedoms, and the rights and dignity of citizens. They also worked to expand democracy and fight corruption and intensified calls to set up mechanisms for monitoring, accountability and transparency, placing the right person in the appropriate position and opposing favouritism and nepotism.

Abu Ramadan admits that civil society in Palestine works under a complex environment in which several factors interact, such as the occupation, two governments in the West Bank and Gaza Strip, UN, international organizations and donors who control the funding agenda and who compete for financial resources with Palestinian NGOs.

In addition to their internal role between society and authority, NGOs have played the role of the “nucleus” of the state. Civil society organizations continue to play a role in the struggle against occupation, strengthening the steadfastness of citizens to stay on their land and Palestinian solidarity and enhancing the Boycott, Divestment and Sanctions (BDS) movement against the state of military occupation and expansion based on a culture of racism and ethnic cleansing whose practices constitute war crimes, as declared in the Goldstone Report and other reports about Israeli aggression at the end of 2008 and repeated in 2012.

*Book Reviews: “The Diplomacy of National Liberation” & “Changes in Venezuela through Assumption of Power”*

*Seyasat* presents reviews of two important books published recently. Ibrahim Nimer, researcher in political affairs from Dubai, reviews the book by Rashad Tawwam, “The Diplomacy of National Liberation: the Palestinian Experience (Approaches based on International Law and International Relations)”, published in March by Birzeit University. Ra’ed Bader reviews a book by Gregory Wilbert entitled “Changes in Venezuela through Assumption of Power: The History of the Chavez Government and its Policies”, published in Amman this year.

As usual, the final section of *Seyasat* presents a variety of Palestinian and Arab books published recently about issues relating to Palestine and the region. As *Seyasat* concludes this rich and significant edition, winds alone will not cause rain to fall. The slow mobilization in the region will not bring about the end of uncertainty unless there is strong will by the people. In this edition,

*Seyasat* has attempted to light a small candle in the tunnel in the hopes of moving closer to a satisfactory conclusion.

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