A Law of Diminishing Returns: The Oslo Accords and the Dynamics of Palestinian Self-Governance

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The Palestinian Liberation Organization (PLO) has for decades claimed to embody the national aspirations of the Palestinian people. The 1993 Oslo Accords conducted between Israel and the PLO, and the ‘Middle East peace process’ which resulted, seemed only to cement this claim. However, the 2006 electoral victory of the Islamic Resistance Movement, or Hamas, and their subsequent formation of a majority government within the Occupied Territories, shocked much of the world, as well as Palestinian observers. While the stipulations of the Oslo Accords allowed for a much sought-after degree of Palestinian self-governance within the Occupied Territories, the PLO’s performance was far from stellar. This paper aims to explore the difficulties inherent in the post-Oslo ‘state-building’ process, and the complex process by which Hamas came to provide the PLO with the first significant political opposition of its four-decade history.

In the wake of Hamas’s historic victory at the polls of the 2006 Palestinian legislative elections, much ink was been spilt regarding the regional consequences of such a victory. Some have expressed dismay at the prospect of an Islamic resistance movement, having refused for years to join the political process, forming a majority government in the Occupied Territories; a group which, unlike its predecessors in the PLO, remain steadfast in their refusal to recognize Israel’s right to exist. Indeed, this feeling of trepidation was echoed, albeit in its most extreme form, by former Israeli Prime Minister Benjamin Netanyahu’s reaction to the Hamas victory: “Hamastan has been formed, a proxy of Iran in the image of the Taliban.”

in Arab-Israeli politics that the Hamas victory has come to signify, it would be wrong to perceive this shift merely as a sudden move on the part of the Palestinian population towards a more radical or extreme form of government. Rather, this period of change is in marked contrast to the three decades which preceded the signing of the 1993 Oslo Accords by Israel and the PLO, in which the PLO could safely claim the mantle of ‘sole representatives of the Palestinian people,’ and as such, constitutes a clear rejection on the part of the Palestinian electorate of the status quo that the PLO, and its brand of secular nationalism, had come to engender. Moreover, it may be argued that a PLO-dominated Palestinian Authority contained the seeds of its own destruction; A national resistance movement, scattered throughout various Arab capitols, was a concept not easily translated into the nuances of democratic institution-building, such as the PLO, and later the Palestinian Authority, intended to undertake. With a Palestinian electorate only too aware of its desire for democratic forms of government, compounded by the perceived failures of the PLO in the Middle East peace process, the PLO’s future as the manifestation of Palestinian political will was far from secure.

The 1993 Oslo Accords between Israel and the PLO marked a significant step in the so-called ‘peace process’ initiated by the two parties. Israel was now engaged not only in direct talks with the PLO, but as the ‘Letters of Mutual Recognition’ exchanged by then Israeli Prime Minister Yitzhak Rabin and PLO Chairman Yasir Arafat assert, was willing “to recognize the PLO as the representative of the Palestinian people and commence negotiations with the PLO within the Middle East peace process.” 4 This recognition marked a drastic turn-around for an Israeli government which had hitherto reserved little distinction between the PLO and other, more extreme Palestinian ‘terrorist’ groups. 5 The PLO, for its part was continuing down the path it had earlier embarked upon during the late 1980’s. The resolutions adopted at the nineteenth session of the Palestinian National Council of 1988, which included

among others, the formal renunciation of terrorism, as well as the recognition of the State of Israel, set the PLO firmly on the course of a “two-state solution”; a move which necessarily foreshadowed any political development vis-à-vis Israel. However, while the talks which preceded the signing of the Accords constituted no small undertaking for either side, it was the projected outcome of the agreement itself which would provide the PLO especially with several challenges far greater than any they had confronted during the negotiations.

The first of these challenges was the formation, as stipulated within the agreement, of the ‘Palestinian Interim Self-Governing Authority,’ of which the intended function was to be, “the elected council . . . for the Palestinian people of the West Bank and the Gaza Strip, for a transitional period not exceeding five years . . .” This foray into self-government, while long touted as the goal of the Palestinian resistance, was to have a significant impact on the way politics were conducted, both inside the Occupied Territories as well as the wider Diaspora, as it amounted to nothing short of the fundamental reorientation of the decades-old system through which the PLO, not to mention the myriad of lesser resistance movements, had conducted their struggle for the liberation of Palestine. For the first time since 1948, the political center was to be inside Palestine itself, rather than the various Arab capitols which had at one time or another provided the PLO with a base from which to organize a scattered constituency. This was something for which the Palestinian resistance had been fighting for decades, both diplomatically and militarily, yet had never come close to achieving.

Paradoxically though, the long awaited goal of ‘self-rule’ within the

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8 Dajani, 7.
9 Ibid, 9.
Occupied Territories would present the newly formed Palestinian Authority (PA) with a set of challenges not encountered during the PLO’s decades of exile, and unique to the transition to an institutionalized democracy. These challenges were especially present in terms of security. Indeed, the very success of the Accords, and the resulting Palestinian self-rule, were predicated from the start on the PA’s ability to provide law and order in Gaza and the West Bank. As Article VIII of the Declaration of Principles stresses:

. . . the [Palestinian] Council will establish a strong police force, while Israel will continue to carry the responsibility for defending against external threats, as well as the responsibility for overall security of Israelis for the purpose of safeguarding their internal security and public order.

As straightforward as this statement may appear, it does highlight the curious discrepancy which arose out of the signing of the agreement, between that which was required of the PA in regards to security, and the wide ranging, and at times ambiguous, powers which the Israeli government had reserved for itself. This may lead one to ask the obvious question: is an agreement, concluded between two parties of such disparate positions of power, significantly flawed from the start? Indeed, it could be argued that the notion of Palestinian self-rule as outlined in the Oslo Accords, and any legitimacy that may derived from it, was contingent, first and foremost, upon Israeli security. As some Palestinian critics have noted, the inordinate emphasis placed on the PA’s obligation to deliver up “Israel’s right to exist in peace and security”, while no doubt a reasonable request, necessarily subordinates the right of the Palestinians within the West bank and Gaza to these same luxuries. Nonetheless, the PA

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14 Ibid, 16.
17 Dajani, 6.
18 Ibid, 6-7.
went to great lengths to fulfill their obligation to “establish a strong police force,” following the implementation of the Accords - a task performed, at times, with startling efficiency.

While the Oslo Accords, as well as subsequent agreements between Israel and the PA, outlined specific restrictions on the number of Palestinian security personnel to be deployed in the areas of self-rule, these were frequently ignored. The result was the proliferation throughout the Occupied Territories of numerous (and ambiguous) police and intelligence forces whose jurisdiction often overlapped each other, whose activities were scarcely monitored, and whose loyalties often extended beyond ‘official’ boundaries to factional and political allegiances. Moreover, the advantages of Palestinian security could not have been lost on the Israeli government during the Oslo negotiations. In an interview published in the Israeli newspaper *Yediot Aharonot*, just prior to the signing of the Accords, Prime Minister Yitzhak Rabin put it bluntly:

I prefer the Palestinians to cope with the problem (emphasis added) of enforcing order in the Gaza Strip . . . [they] will be better at it then we were because they will allow no appeals to the Supreme Court and will prevent the [Israeli] Association for Civil Rights from criticizing the conditions there by denying access to the area.

Any further attempt to demonstrate the degree to which Israel had benefited at this time from Palestinian governance would be difficult, and far beyond the scope of this paper. However, considering the outcome, it may also prove irrelevant. Regardless of any Israeli predictions as to the brutal efficiency of the Palestinian security apparatus, it may be safe to assume that the numerous forces deployed by the PA throughout Gaza and the West Bank went beyond most preconceptions. Speaking to the general breakdown of societal order in the Occupied Territories following the arrival of the PA, to which the Palestinian security forces were among the most visible contributors, a Human Rights Watch report from 1996 described a situation increasingly characterized by, “. .

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20 Usher, 22-25.
physical abuse of detainees . . . closed-door trials of opposition suspects . . . acts of violence and intimidation against Palestinians by the overstuffed security agencies . . .” 22 Tragically, whereas the Palestinian population had, generally speaking, welcomed the arrival of the PA security forces as both a welcome change from Israeli authority, as well as an important step in the process of building a functioning state, 23 these attitudes were gradually overshadowed by a Palestinian society in which “Distrust of authority, associated in the minds of the youth with the [Israeli] occupier . . . [had] now been extended to the Palestinian leadership as well.” 24

Such descriptions of a Palestinian civil society wracked by fears of an ultra-vigilant police force speak greatly to PA President Yasir Arafat’s personal governing style, and in particular, the system of patronage that was broadly employed during this time. The preeminent position held by Fatah – the guerrilla movement co-founded by Arafat in the 1950’s 25 – within the PLO, and their subsequent dominance within the PA following the Oslo Accords, meant that virtually all members and supporters of the group were welcomed into the police forces. 26 Though of course Fatah/PLO members and supporters did not constitute the only factional representation within the police, the proliferation of the security forces remained, for the most part, emblematic of the former group’s power on the Palestinian street. 27 As some scholars have claimed, Arafat’s influence over the fortunes of his colleagues throughout the PA, his ability to promote his subordinates throughout the ranks of the security forces, resulted not only in increased political sway, but was a direct attempt to counteract the formation of a sizeable political opposition. 28

Given the many difficulties which no doubt attended the transition

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23 Ibid, 110.
27 Ibid, 108.
28 Usher, 29-30.
from liberation movement to civil police force, it may be relevant to claim, as did one UN Coordinator in charge of police, that the task of establishing and training a Palestinian police force “. . . is difficult [because] most of the PPF [Palestinian Police Force] were formerly in the PLA [Palestinian Liberation Army].”

Nonetheless, the nepotism shown by Arafat and the PA leadership during the recruitment process must have exacerbated the situation, fueling the descent of some sectors of the PA security forces into an overtly militaristic movement.

That the emerging Palestinian leadership, whether through lack of resources, by the sheer enormity of the task confronted, or for other more nefarious reasons, leaned heavily on its security forces during the post-Oslo ‘state-building’ process has been well documented. However, the transference of genuine political influence by the PA - as opposed to a simple, albeit powerful, show of force - from the Palestinian Diaspora, to the residents of Gaza and the West Bank, not all of whom viewed the Oslo Accords and the arrival of the PA in a positive light, would prove more difficult than perhaps originally thought.

While the PLO had long claimed the distinction of ‘sole representatives of the Palestinian people,’ the validity of this claim has, since the earliest days of the organization, been challenged by some Palestinians. Of the many resistance groups operating within the Occupied Territories at the time of the Oslo Accords, perhaps the strongest, and thus most likely to come into conflict with the PA, was the Islamic Resistance Movement, or, Hamas. A branch of the older Muslim Brotherhood, Hamas was formed and first came to prominence during the Palestinian uprising of 1987.

Along with the other Islamic movements, there were fundamental ideological differences between Hamas and the predominantly secular PLO. While the ‘two-state solution’ embraced by the PLO in 1988 ultimately

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29 Per Blekelia, UN Coordinator of Policing, qtd. in Milton-Edwards, 108.
33 Ibid, 10.
provided the organization with a ‘roadmap’ by which it was hoped Palestinian self-rule could be arrived at, it was this very notion – the recognition of Israel - which was at the heart of Hamas’s refusal to join forces with the PA in a post-Oslo Palestine.\footnote{Wendy Kristianasen, “Challenge and Counterchallenge: Hamas’s Response to Oslo,” \textit{Journal of Palestine Studies} 28.3 (1999): 20.} However, despite the tensions which would eventually erupt between the two groups, Hamas’s attitude towards the secular nationalist PLO prior to the establishment of Palestinian self-rule was, to put it mildly, one of polite philosophical disagreement. As the Hamas charter claims:

\begin{quote}
The Palestinian Liberation Organization is closest of the close to the Islamic Resistance Movement, in that it is the father, the brother, the relative . . . [However] not underestimating its [the PLO] role in the Arab-Israeli struggle, we cannot . . . adopt [a] secular ideology . . .\footnote{Article 27, Charter of the Islamic Resistance Movement (Hamas), qtd. in Maqdsi, 130-131.}
\end{quote}

Nonetheless, this brotherly rhetoric would be greatly altered by the establishment of Palestinian self-rule in Gaza and the West Bank. It was in the Occupied Territories that Hamas had originally been born, from which it had directed its resistance against Israeli occupation, and where it would ultimately come into conflict with a PA determined to assert its political hegemony. While the friction between these two groups should not be over-exaggerated as the only threat to order within the Occupied Territories at this time, there was, following the implementation of the Oslo Accords, a concerted effort on the part of the PA to ‘deal’ with Hamas. This did not necessarily entail a direct and forceful subjugation by the former of the latter; absorption of Hamas into the mainstream political process, therefore granting the PA a degree of control over the group, was as desirable an outcome as any.\footnote{Kristianasen, 20.} However, this was difficult to say the least. For a group, such as Hamas, with little or no reliance upon the PA in terms of financial, security, or ideological sustenance, little reward could be offered in return for compliance.\footnote{Usher, 30.} The resulting violent
confrontations between Hamas militants refusing to cease operations against Israel, and PA security personnel, were seen as an attempt by the PA leadership to cement the claim made in 1994 that “From now on [Hamas] should know that there is only one authority.”

However, despite their refusal to be co-opted within the ranks of any ‘outside’ group, there was a recognition by the Hamas leadership at this time of the PA’s undeniable political dominance in the Occupied Territories, as well as a general weakening of Hamas’s military capabilities, to which the escalation in violence between the two groups had contributed greatly. One significant result of this shift was the movement away from an overtly political or militaristic program to what could be broadly termed ‘social work.’ Specifically, this term can be taken to represent the provision of such important services as health care, education, literacy training, and geriatric care, among others. In the post-Oslo period, this was increasingly seen as perhaps the most effective path by which the so-called ‘opposition,’ of whom Hamas was the most dominant, was able to ensure its survival. As one anonymous Hamas official put it, referring to the importance of social programs in place of an aggressive military strategy: “We must plant the seeds for an Islamic future in the next generation through social change . . . We do this through example and education.”

A resistance movement, long confined to exile and political marginalization on the world stage, was bound to meet its match in the complexities of the Oslo Accords. Regardless of the many challenges which the PLO had faced since its beginnings in the 1960’s, the signing of the Accords in 1993, and the state-building project which arose out of the agreement would prove unlike anything previously confronted. Having waged a protracted and costly struggle for national liberation, the PLO entered into a set of negotiations with the Israeli government in which, “the cart of development was paradoxically
put before the horse of independence.”⁴³ As such, the burden on the PLO to obtain some positive results from the peace process was all the more present. As one chief Palestinian delegate to the Oslo signing conceded:

The test of this whole agreement is how will we be able to implement it on the ground . . . Everything now becomes our responsibility . . . providing governance, assuring national unity, providing economic opportunities and social justice.⁴⁴

It would be difficult, if at all possible, to conclude that the PA had accomplished any one of these goals. While any initial optimism for the success of the Accords has all but dissipated in the Occupied Territories, an overwhelming sense of stalemate has descended. One needs to look no further for evidence of this than the Palestinian Authority itself - a structure transient in nature, established as a five year interim authority over Gaza and the West Bank, but which continues to govern more than ten years on.⁴⁵

Although the process by which Hamas eventually found itself victorious at the polls of the 2006 Palestinian legislative elections is complex, and cannot be attributed to PLO corruption or mismanagement alone, these factors did play a significant role in later developments. Under the former Palestinian leadership, a law of ‘diminishing returns’ seems to have been in place in Gaza and the West Bank, whereby the Palestinian population, having by and large accepted the opportunities granted by the Oslo Accords in 1993, had come to the realization that a decade under the same leadership has yielded little in return. Unfortunately, while much of the outside reaction to the political changes within the Palestinian landscape could be summed up by the former Israeli Prime Minister, Ehud Olmert’s insistence that “a Hamas-led Palestinian Authority is not a partner,”⁴⁶ it seems clear the ordinary Palestinian had been

⁴⁶ Pina, 11.
left with little alternative.

Bibliography


