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THE PALESTINIAN CAIRO AGREEMENTS: BETWEEN LULL AND TRUCE

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On March 17, Fatah, Hamas, Islamic Jihad and several smaller Palestinian organizations agreed in Cairo to extend the current "lull" (*tahdi'a*) in military operations until the end of 2005 and to implement a series of reforms in Palestinian political institutions. This agreement constitutes a landmark in the current phase of Israeli-Palestinian relationships as well as in internal Palestinian politics.

The agreement is essential for the strategy of Palestinian Authority [PA] Chairman Mahmud Abbas to replace violent struggle against Israel with negotiations as the way to realize Palestinian national aspirations. By bringing Hamas and Islamic Jihad, the staunchest advocates of armed struggle, to accept a truce with Israel, Abbas seeks to consolidate the commitments made by Israeli Prime Minister Ariel Sharon at the February Sharm al-Shaykh Summit; Israeli withdrawal from five Palestinian cities, the continued release of Palestinian prisoners, and the removal of other Israeli restrictions are, from Abbas' perspective, necessary to advance the negotiating process.

Beyond that, the truce or lull is crucial for ending the anarchy prevailing in the Palestinian territories and for rebuilding the PA, which has almost ceased to function as a government except in name. It is also essential for rehabilitating Abbas' own faction, Fatah, which

has experienced deep splits between the corrupt and unpopular old guard that came to the Territories following the Oslo Accords and the grass-roots leadership that had been marginalized by Arafat and is now demanding thorough reforms inside the movement. Lacking a broad power base of his own, Abbas depended on the support of the local leaders for his election and still needs them to function effectively as PA Chairman. He also hopes to use the truce to co-opt unruly elements responsible for the anarchy, such as the al-Aqsa Martyrs' Brigades, by incorporating them into the newly-built PA security organs. Finally, the "lull" enables Abbas to evade the requirement of the 2004 Road Map to dismantle the terrorist infrastructure of Hamas and Islamic Jihad in the Palestinian Territories and thus avoid internal Palestinian strife. Instead, he can hope to incorporate those two factions into the PLO and PA institutions, thereby securing the PLO's status as the sole representative of the Palestinian people and enhancing the PA as the legitimate and inclusive Palestinian government.

However, while Abbas wanted a declaration of a formal ceasefire (*hudna*) for a year, Hamas and Islamic Jihad insisted on the term "lull" (*tahdi'a*), which is less binding from an Islamic legal point of view. "Lull" connotes a less institutionalized arrangement and signals its

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temporary and conditional character – contingent on Israeli acquiescence in the demand to release all Palestinian prisoners -- while preserving the option to respond to any alleged Israeli violation.

In return for these agreements, Abbas accepted Hamas' demands to amend the elections law for the Palestinian Legislative Council [PLC] prior to the elections scheduled for July and introduce a mixed system which would see half the seats elected in voting districts and half by proportional representation, and also to apply proportional representation to municipal elections. At the same time, the parties agreed to reform the structure of the PLO in a way that will ensure representation of all Palestinian groupings, based on their gains in the elections.

The Cairo agreement marks a significant shift in Hamas' position towards the PA and the PLO, as well as a tactical change in its conduct vis-à-vis Israel. Hamas, which had consistently rejected any negotiations or long-term compromise with Israel, regards the prospective Gaza disengagement plan as a victory for its strategic approach, which is to force Israel to withdraw under military pressure without reciprocal Palestinian concessions. Yet as a political movement aspiring to national leadership, Hamas felt the need to comply with popular pressure to give diplomacy another chance after the bitter and costly four-year violent struggle. In addition, the usually more hard-line Damascus-based leadership seemed to accept the more pragmatic line advocated by the West Bank and Gaza leadership. And emboldened by its successes in the elections held in 21 municipalities two months ago, particularly in Gaza, Hamas seeks to reap the political fruits of its military efforts and to win major representation, perhaps even a majority, in the next PLC. Such gains, it hopes, will give it a major role and possibly even veto power in Palestinian decision-making processes, as a stepping stone toward eventually supplanting the

current PLO leadership.

By agreeing to contest the PLC elections, Hamas departed from its previous stance of refusing to participate in any institutions that emerged from the 1993 Oslo Accords. It justified this shift by arguing that the new elections law would reflect the consequences of the confrontation with Israel rather than the defunct Oslo Accords. It also alluded to the changed regional and international circumstances. The political legitimacy conferred by participation in elections would serve its demand to be removed from the US and EU lists of terrorist organizations, inclusion in which has hampered its fund-raising efforts. It might also secure its Damascus offices against possible expulsion under Western pressure. Equally important, Hamas needed the truce in order to rebuild its terrorist infrastructure in the West Bank, which had been all but crushed by Israel, in anticipation of a possible renewed round of violence.

Officially, Hamas clings to its long-term strategy and ideology of eliminating Israel and replacing it with an Islamic state over all of historic Palestine. Yet its acceptance of the "lull" and its possible incorporation into the PA political structures might be the first moves in a long and arduous process that could turn Hamas into a more moderate movement accepting a de facto coexistence, though not necessarily peace, with Israel. At the same time, its refusal to relinquish its weapons points to its intention to emulate Hizballah's strategy of evolving into a major political party while preserving a military option for future use against Israel and potential Palestinian rivals. The inclusion of Hamas in Palestinian decision-making processes is likely to toughen Palestinian positions in future negotiations with Israel and make it much more difficult to reach a peaceful agreement.

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