

## Conference call with Hillel Frisch

**Omri Ceren:** Good afternoon everybody. Thank you for joining us. Thank you in advance to Professor Hillel Frisch, who is here this afternoon to help us unpack some of what happened this morning, eastern time, in the Middle East, which is specifically to say, the announcement that there has been a unity agreement, not yet a unity government, but a unity agreement between Fatah and Hamas and that that will include the formation of, among other things, a unity government. This is being talked about, of course, both in Israel and in the United States as a move that is, at best, unhelpful for the peace process. But there are nuances and contours and distinctions that have yet to be untangled. And so for that purpose, we wanted to bring you on the phone this afternoon with Professor Frisch. He's a senior researcher at Bar Ilan BESA Center for Strategic Studies. He's an expert on Israeli-Palestinian diplomacy as well as internal Palestinian-Israeli politics, and I will remind you again that if you need to follow up, you can hit [press@theisraelproject.org](mailto:press@theisraelproject.org). And on that note, I will hand the call over to Professor Frisch.

**Prof. Frisch:** Okay, I would like to begin with the idea that this isn't really big news. This is probably the tenth time since 2007, since February 2007, that there was an announcement that talks end, are ending up with great expressions of unity between these two, today, once upon a time, two political factions, now basically two semi-states, or two political entities that are totally independent of each other. So this is the tenth announcement of such unity and it never succeeded, and the likelihood that this unity talks are going to reach anything substantive is highly unlikely as well. But basically, this unity agreement decided that there was going to be a unity government between Fatah and Hamas within five weeks and within six months after the establishment of unity, of the the unity government, one is going to see presidential and parliamentary elections throughout Judea and Samaria – the West Bank, and Gaza – something that would replicate what happened in 2006, which was the beginning of the civil war between Fatah and Hamas, but ended up with the total separation between the Hamas-led government in Gaza and they basically formed a de facto political state and the political, the Palestinian Authority which is under Fatah's rule and under the nominal presidency of Mahmoud Abbas. The reason why I think that we can be pretty pessimistic about these unity agree -- about this agreement is that it left out the most important aspect of any unity talk, what to do with the security forces which each side holds totally separate, each one arrests the faction, the opposing faction, the members of the opposing faction living under their rule, and that really is the crux of the problem. That's really the focus of the problem.

Now, how does this affect the peace talks? I would say that this really is an indication of the end of the peace talks. The peace talks were peace talks where neither, neither side, neither the Israelis nor the Palestinians were really eager to embark upon them.

They did it to appease the United States and they both wanted to terminate it by, with a victory in blaming the other side for the failure of the talks. I think in this round, Israel has won. The fact that Mahmoud Abbas is turning to Hamas, a very unpopular faction, that is remembered, rightly so, for their numerous suicide bombings, I think Israel would be successful in placing the blame on Mahmoud Abbas in the sense that it's somewhat of a victory for Israel. Why Mahmoud Abbas did it was that in the peace talks, he wanted to appease the Americans. In these internal domestic talks, he wants to appease a constituency which is not very pleased with his rule. And with that, I'll briefly end and provide time for questions.

**Omri Ceren:** Operator, if we could prompt for instructions on questions, please. [Operator instructions] Professor, while we're waiting for people to queue up, a couple questions have come in by email. The first had to do with the broader implications and the broader context of Palestinian politics, which is to say you spoke about Abbas having considerations that have to do with other members of Fatah. But there's also a long history, obviously, of animosity between Fatah and Hamas. And we got a question about why Fatah would act now to do this, during the time when Hamas is considered as isolated as it's been in a long time, certainly since it took over Gaza. Why would their rivals come in and offer them this kind of lifeline?

**Prof. Frisch:** I would say that, though Hamas is under siege externally, internally, within Gaza, it's much more relatively powerful than the Palestinian Authority. The reason being is that it compounds on twenty-five percent of its population security forces that are firmly loyal [inaudible] to the movement and to its leader. The Palestinian Authority is in a much better situation internationally, but it's much weaker internally. And once the movement towards peace proved false, they wanted to, they basically wanted to show that there was renewed hope on the domestic front in reviving unity. And I think that that's the idea of the timing, moving from appeasing the Americans, um, protecting their external flank, and moving to their domestic flank.

**Omri Ceren:** The next question that was emailed has to do with a more specific element of the blame game that you referenced earlier, which is to say in anticipation of sputtering peace talks, there were efforts on both sides to characterize the other as the intransigent party. And, the question that we have has to do with whether or not the Israelis would accept Hamas as a partner and more so, whether or not the Israelis can sell to the international community that Hamas is not a partner for peace. So, couldn't the Palestinians in the language of this question, say that keeping Hamas out of a Palestinian government is a sign of Israeli intransigence?

**Prof. Frisch:** You know, I think the terms Israel has set is very simple. Israel, unlike the European community or even the United States, doesn't try selling democracy or selling its vision of the world onto others. That's part of the Jewish tradition. We accept the differences amongst other people. So, there's none of that. What Israel wants from Hamas is very simple. They don't have to give up their religion. They have to give up

their suicide bombings and their quest to destroy the Jewish state, to accept the Oslo peace process framework, and to stop wanton terrorist acts, especially missile attacks that take place daily, daily against, against domestic civilian targets within Israel.

If Hamas would do that, Israel would have no problem making Hamas an interlocutor just in talks with Abbas, and would have no problem with a unity, with a Palestinian unity government. In fact, it would be much better because in that sense any peace talks would, could possibly result in a peace agreement with all the Palestinians, rather than with half the Palestinians knowing, because until now, any peace process that ends up in a peace agreement with Abbas, you know, you know with 100% certainty that on the next day Israel will be attacked with rockets from Gaza. To show in order [inaudible] Hamas will do that to demonstrate that it wasn't part of the peace deal and that is still seeks the destruction of an Israeli state. So from that point of view, it's very simple. If Hamas is ready to accept, to accept a peace negotiation framework to stop terrorism, they are automatic partners to negotiations.

**Omri Ceren:** Operator, if we could go to the queue please.

**Question:** Hi, can you hear me?

**Prof. Hillel Frisch:** Hi Julian.

**Question:** Hi Professor, hi Omri. Well, thanks for taking the call; thanks for doing this. I had a question for you regarding Palestinian Anti-Terrorism Act. Ileana Ros-Lehtinen just put out a [inaudible], I don't know if it's been public yet, but basically calling for an immediate aid cut. I'm just wondering what your reading of the law entails in terms of what Congress needs to do now, because the law talks about, for one thing, Hamas would have to be in control. I'm trying to look up the exact terminology here but yeah, it says 'Hamas-controlled Palestinian Authority' that would, you know, necessitate the aid to be cut. And then, like you say, we don't have a unity government yet. If we, you know, we might never have one. So what does Congress need to do at this point? What's your reading of what the law requires?

**Prof. Hillel Frisch:** Well, I'm hardly an expert on United States laws regarding terrorism, so I don't feel that I really can comment, can comment on this. Only basically to say that a unity government with Hamas under the, within the frame of reference of where Hamas, of where Hamas' position is, makes, turns that government effectively into a terrorist government. It's a government where a principle member of that government, maybe even a leading member of that government, advocates terrorism against, against a sovereign United Nations member state, member state. Maybe in that sense it would certainly be considered a terrorist entity and might be legally, be sanctioned with congressional cuts, but I'm not an expert, I'm not a constitutional expert to really, to really pass judgment on that.

**Question:** Thank you Professor. What do you think the more left-wing groups, such as J Street, will make of this announcement?

**Prof. Hillel Frisch:** I think that they'll basically take the Israeli government line, that Hamas, in order to be, in order to be a partner to a government that is supported by the United States, has to accept the Oslo peace process principles, which is to recognize the state of Israel and to cease military and terrorist actions against the state. I think that J Street has no problem with demanding that Hamas conform to these basic, to these basic lines that were set in Oslo peace process.

**Omri Ceren:** We have another question that's come in over email that I wanted to jump in and get to, which is, we talked about earlier the idea that this is a opportunity for Hamas to try to come in from the cold, and this question specifically asks to what degree you think that will succeed. Obviously, Hamas is pressed in by both Egypt and the Israelis these days. Will this kind of agreement, if it goes through, help Hamas alleviate that pressure?

**Prof. Hillel Frisch:** I think that they knew, that the Palestinians moved from one blame game to another blame game. Basically, these two movements are going through these moves, not in the belief that they're going to achieve unity but in trying to place the blame on the other side. Hamas walked into this unity talk with the hope of proving to its constituents in Gaza that it's the Palestinian Authority to blame for failing to come through with the unity measures, and I think the Palestinian Authority under Abbas is going to try blaming Hamas for the same thing. These are, these were two exercises in futility, both the peace process and the domestic peace process. I really don't think that either of the sides is ready really to give up power in their respective, in their respective mini-states. They still view each other as zero-sum enemies. The victory of one is the defeat for the other. So I think they just moved into this kind of situation and that's what's, that's how it's going to end. And that's going to end either before they even create this unity government or right after it, before, in preparation for the elections.

**Omri Ceren:** So that brings us actually to our last question. This is kind of a technical question. I'm not sure if it's been outlined, but we got it from two different people. What, you talked a second ago about how, you know, Fatah doesn't want to give up the West Bank, while Hamas doesn't want to give up the Gaza Strip. What would the nuts and bolts of an election look like? What kind of preparation would have to occur? What kind of hurdles would have to be overcome? And then, what kind of government would be formed afterwards that would, and what would have to do to seek or to secure kind of power that would formally give that government rule over both the Gaza Strip and the West Bank? What would the nuts and bolts look like?

**Prof. Hillel Frisch:** Well, you would have to set up a Palestinian election commission composed both of Hamas members and PLO members. Right now, it's in total control of

the PLO members. Two years ago, they were allowed initial entry into Gaza, but then in, and then you would have to update the voter rosters -- and this is what they tried doing around two years ago -- and when, when, and terminated when the Palestinian Authority arrested, I mean, there are continuous subversive attempts by Hamas to undermine Palestinian Authority rule in Judea, Samaria, the West Bank. That usually initiates a massive arrest, and in retaliation, the Hamas government stopped this Palestinian commission from renewing the roster. So that's what, that's probably the dynamic that is going to take place. Otherwise, it's relatively easy. Then you have to ensure that there's freedom for campaigning for the opposite side -- Fatah in Gaza, and Hamas in the West Bank. I mean, technically, there isn't much of a problem. This did take place in 2006, and beforehand, though without Hamas participation, in 1996. So the Palestinians technically are capable of pulling off these elections. There is one technical problem, technical political problem, and, which is whether Israel will allow election polls in Jerusalem and will it allow campaigning by both sides in Jerusalem, and that's a big if. I would assume that Israel will refuse.

**Omri Ceren:** What Israeli laws would prevent them from allowing Hamas to campaign in Jerusalem? Are there specific laws?

**Prof. Hillel Frisch:** Sure, it's a terrorist organization. It's unlawful to be a member of the organization and the election, according to Israeli law, Jerusalem is the united capital of Israel, where you shouldn't be holding elections for foreign entities.

**Omri Ceren:** On that note, we have used all the time that we had allocated for today. Thank you again Professor for hopping on the line. Thank all of you for dialing in on what I know was short notice. If you have any more questions or concerns or want to speak about these issues in more depth then please hit us up at [press@theisraelproject.org](mailto:press@theisraelproject.org), [press@theisraelproject.org](mailto:press@theisraelproject.org), and we'll get you what you need. Thank you again everybody.