

Ways to Save the Democratic System in Palestine

Participants (without distinction) Zahira Kamal, Abdel-Rahman Abu Arafeh, Hilmi Al-Araj, Qais Abdel-Kareem, Hani Al-Masri, Basem Al-Zubeidi, Mahmoud Shaheen, Mazen Ghuneim, George Jaqaman, Azzam Al-Ahmad, Jamal Zaqout, Mamdouh Al-Eker, Ahmad Majdalani, Taleb Awad, Naser Abdel-Kareem, Abdel Qader Al-Husseini, Azmi Al-Shuaybi, Daoud Talhami.

Participants from MIFTAH: Hanan Ashrawi, Lily Feidy, Bisan Abu Ruqt, Musa Quos, Nahed Abu Sneineh, Maysa Hindaleh, Reem Wahdan.

A democratic system in any country requires stability, steadiness, periodic elections, rotation of power, rule of law and political independence. In Palestine, the democratic option acquires particular importance since it contributes to achieving the national aspirations and accomplishing the national project represented in a two-states solution, which is an option surrounded by many doubts, in light of the de-facto imposed by the occupation. Despite the establishment of Palestinian institutions and the issuance of several documents relating to democracy, such as the declaration of independence, still, the issue remains controversial and subject to debate.

In spite of the significant achievements made towards developing a Palestinian democratic system characterized by good governance, and active legislative institutions, to entrench rule of law, still, there were serious attempts to undermine the democratic system in Palestine, recently reflected in a decisive military action, accompanied by the imposition of the emergency law, the marginalization of the legislative and judicial institutions through the creation of alternative committees. This came after the failure of all attempts made over a year and a half to resolve ambiguities and contradictions so as to administrate the Authority in cooperation between the two sides.

Serious indicators demonstrated the deteriorating situation through events in the Palestinian universities of Birzeit and Al-Najah, which warn of the transfer of Gaza's experience to the West Bank. This calls upon leaders of civil society and the intellectual and political leadership to come up with solutions to this crisis.

The crisis is old

The origin of the problem lies in the nature of the Palestinian political system, and the crisis deepened further by external factors such the occupation and foreign interference, after it passed two major milestones represented in the presidential elections and the legislative elections. Overmore, the Basic Law contains a certain extent of ambiguity that requires deep comprehension of its nature and its problems, it can be better described as fragile, complex, and non-coherent, as it failed to protect the legitimacy.

Questions were raised about whether the system failed to define whether its jurisdiction was limited to the Palestinian Liberation Organization, or did it extend to

include those outside the organization. There are also several conditions imported from abroad in regard to this matter. Despite the interim period the cause is going through, still, it was not accompanied by a national front that contained the various Palestinian factions to unify the vision and action. The system suffers from a lack of clarity as to whether it is for internal building or resistance

Problem of the players

The various players in the Palestinian political system suffer from several problems, since Fatah suffers from a problem of identity and it is the offspring of the 20th century, while Hamas is tender and young with a strong financial background, and a monopoly of the resistance which formed its crane.

Both are tugged between the American orbit and the Islamic orbit. Supporters of the religious school that is characterized by fanaticism and the use of force, to replace the rules through offering different system specifications. And the PLO suffers from a state of weakness and marginalization. The prevailing belief among Fatah that Hamas will remain outside the game forever. The structure of Fatah which bears the Authority's project, did not provide anything new for national transformation and democratic reconstruction, this while the other parties released themselves from the mission, prompting Hamas to fill the vacuum.

To sum up, democracy is almost absent from the Palestinian political system, where there are attempts to build the authority, a state and a political project, but did not succeed until now. Even during the days of the revolution, the argument of the "democratic jungle of guns" was not accurate and did not reflect the democratization of the Palestinian arena. Under occupation, any democratic process can not succeed due to the absence of true democratic practice.

In order to make use of what happened there should be a revolution against old and ambiguous principles.

The nature and form of the relationship between the parties

The situation can be explained by analyzing the form of the relationship between the various parties on the Palestinian arena and its ruling principle of consensus. Not at any time has there been a real agreement on the national project and its determinants, knowing that the phase of national liberation requires the presence of a national front, that owns a broad program and a unified leadership for all. However, in the Palestinian case, there is no agreement on the form of the relationship, which is defined depending on the interests of various parties. As long as the Palestinian people are working towards a future political solution, there should be a national consensus on the nature of the relationship between the parties.

Responsibility of the Impeding party

Without the slightest doubt that the party that resorted to the military action bears responsibility in trying to eliminate the national project and threatening the destruction of legitimacy and creating a de facto in Gaza. It is also responsible for the destruction of all the achievements made until now.

Recommendations

Participants recommended:

First- Not resorting to early elections in the current phase since it can not be conducted in the two parts of the country, for fear that some opposition parties will work on aborting them. Work should be concerted to conduct elections; the moment consensus is reached among all.

Second- Solidifying the existing legitimate Palestinian institutions since they are products of the Palestinian experience, so that their reform emerges from a democratic process and not a coup. The process of change comes through a democratic struggle and not military action.

Third-Conducting an assessment of the past seven years to work on changing the rules of the game. There was never an agreement on the national project and its determinants. During the second Intifada, a disagreement emerged on the component of resistance.

Fourth-Strengthening the role of the civil society to push towards reaching consensus for new elections and a new electoral system, so that legislative and presidential elections are held according to a full proportional representation system.

Fifth – Returning to internal dialogue is inevitable, which is the only way out of the crisis. This dialogue should create a broader national democratic consensus on the program of the Palestine Liberation Organization and on the two-states solution, which is the main option presented to the Palestinian people.

Sixth- Reaching an agreement on the rules of the game, the solution maybe a convincing political track, which is the guarantor to providing security in the West Bank and Gaza. Also, no solution can be reached unless dialogue is commenced. The democratic mainstream – the PLO- must be reformed and solidified.