

Palestinian cause forum

**"The Palestinian cause and rights
between reality and future prospects"**

**International Commission to
Support Palestinian Rights
PALM Strategic Initiatives Centre**

**Palestine -Gaza
2022**





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Speech of the International Commission to Support Palestinian Rights "ICSPR"

Dr. Salah Abdel-Atti.

Sisters and brothers, who are present here in the hall via the Zoom program, each with his title and name:

I welcome you on my behalf and on behalf of my colleagues in the International Commission to Support Palestinian Rights(ICSPR). I extend my sincere thanks and appreciation to our partners, the Center for Strategic Initiative Palestine - Malaysia for their generous sponsorship of this forum. I also thank the efforts of the research friends who submitted papers and commentators. All the national, legal and societal levels, who were credited with our meeting and the success of the preparations for this year's Palestinian cause forum.

Dear Sisters and Brothers:

This forum comes in light of the continuation of the Israeli occupation authorities to deepen the siege and aggression on the Gaza Strip and the West Bank by committing crimes of colonial settlement, creeping annexation of citizens' lands, civil killings, arbitrary arrests and Demolition of homes, forced displacement, Judaization of Jerusalem and its holy places, the continuation of crimes and policies of racial discrimination and organized state terrorism, in addition to the denial of all Palestinian rights, benefiting from the persistence of the state of national division and the regional and international changes, Despite the continuation of Palestinian steadfastness and resistance in confronting the crimes of the occupation, the Palestinian performance is absent from a comprehensive national strategy based on accurate identification of risks and challenges, foreseeing the future and identifying the alternatives required to ensure the sustainability of the steadfastness and resistance of the Palestinian people to preserve their national rights threatened by derogation and liquidation.

Therefore, the Forum for the Palestinian Issue, which is organized by the International Commission to Support Palestinian Rights "ICSPR", comes annually, in which it hosts Palestinian leaders from various gatherings, activists and human rights activists at the Arab international level, in order to be able to foresee the future and propose the most feasible intervention policies at the Palestinian, Arab and international levels. Especially in light of the current international changes and the repercussions of the conflict in Ukraine and the transformations in the region, , in order to monitor and analyze the dimensions of the direct

challenges and risks faced by the Palestinian people, their national cause and their political entity, and to propose the intervention policies required to confront the national risks and challenges.

In addition to identifying opportunities for progress or regression of the Palestinian cause.. The same applies to the possibilities related to internal Palestinian issues, especially the continuation of division and exclusivity in the political system and the succession struggle and the continued absence of the principles of separation of powers, rule of law, independence of the judiciary, the collapse of democratic governance institutions, the future of the political system and reconciliation scenarios Comprehensive elections and democratic change, to outline a proposed strategy for national and human rights action to preserve the rights of the Palestinian people in the near term, to be placed before those concerned with the Palestinian decision-making process at the official, national and popular levels.

Honorable Attendance: The annual forum for the Palestinian cause this year focuses on three themes addressed by three research papers from researchers and thinkers that will be presented for discussion, comment and dialogue by the forum participants.

The first axis deals with the title of the Palestinian issue and scenarios for solutions. This paper is covered by Dr. Tariq Fahmy, Professor of Political Science and Advisor to the Palestinian-Israeli Studies Unit at the National Center for Middle East Studies, The paper focuses on scenarios related to the Palestinian-Israeli conflict, starting from the point where the Palestinian cause is located today and the impact of various Palestinian, Israeli, regional and international factors on the most likely future course of the Palestinian cause, and then discussing the most appropriate Palestinian scenarios and options to preserve Palestinian rights and requirements for their realization.

While the second axis focuses on the future of the Palestinian political system and speaks in this axis (Dr. Wajia Abu Zarifa, President of the Palestinian Center for Cultural Dialogue and Development), and Mr. Majid Aruri, a human rights activist and director of the National Commission for the Independence of the Judiciary and the Legal Profession, comments on it. This axis deals with the crises of the political system, the national movement, the continuation of the division and the transformations that have occurred in the structure, role and functions of the organization and the authority in the context of the relationship with the occupation and the Oslo Accords (politically, economically and security), sources of legitimacy in the absence of national

consensus and elections, the deepening of authoritarian autocracy in the absence of the legislative authority and the domestication of The judiciary, centers of power and influence in light of the succession struggle, and the struggle for hegemony over The political field in the West Bank and the Gaza Strip, the authority and the opposition (the West Bank and the Gaza Strip) and its impact on the Palestinian cause and rights, realistic scenarios and options for rebuilding the institutions of the political system and arranging the internal house.

While the third axis deals with the paths and forms of the national struggle to preserve Palestinian rights, this axis covers (Dr. Husam Al-Dajni, professor of political science, writer and political analyst), followed by the axis of friend Dr. Abdul Hamid Siam, a legal expert and lecturer at the American Ritz-Carlton University, The axis deals with the trends of the forms of national struggle, according to the circumstances and variables, including the paths of the development of confrontation and the comparison between the most appropriate forms of struggle they found in the near term, and proposing the requirements of the preferred Palestinian option or options according to the conditions of each of the Palestinian groups. The paper also addresses the paths of diplomatic and legal action on The international level, including action at the level of the International Criminal Court, the International Court of Justice, the Human Rights Council and other international organizations, etc.

Honorable audience.. we tell you that our judgment and our national rights are in danger.. the unity of our people.. our character and national identity are in danger.. so beware.. so beware.. and pay attention. Be careful...so that we do not waste the sacrifices of our people a hundred years ago, and increase the struggle, in which one hundred thousand martyrs rose, and 650 thousand were wounded, and more than one million prisoners were captured. Despite the challenges, we were patient together and faced together, we held out together, we rose up together, and we fought the Zionist occupation together ..hand in hand and shoulder to shoulder. Hope has always been present and great in our minds, in our souls, and in our consciences. Hope was and still is great in all confrontations and in the most extreme circumstances. Despite the realization that the main contradiction was and still is with the occupation and its allies, the duty and loyalty necessitates that we tell you that the first, direct, imminent, and near danger, which threatens to squander all sacrifices, achievements, the unity of the people, blood, the cause, and the common destiny is the continuation of division and exclusivity, the collapse of the institutions of the political system, and the lack of carrying out its functions, apart from the absence of agreement on the program, the national strategy, and the revolutionary collective leadership, Therefore, all national and societal efforts should join forces

in a bloc or an inclusive national trend for the continuous popular pressure to rebuild the Palestinian political system on democratic foundations in the company of all, and to hold comprehensive elections, on top of which is the election of a national council representing 14 million Palestinians. Until this is completed, it is required to continue strengthening The resistance and steadfastness of our people to resist, hold accountable, isolate and boycott the occupying state and seek to mobilize the capabilities of the free people of the world and the boycott movement and international solidarity with the struggle of our people and their legitimate rights to self-determination, return, and the state with Jerusalem as its capital.

In conclusion, I hope for success for the forum through constructive and serious interaction and dialogue, to produce results that serve our cause and our national rights. Once again, I thank you for your presence here and through the zoom, and for the presenters of the research papers, the commentators, the chair of the session and the partners.

Glory to the martyrs, peace to their souls, speedy recovery to the wounded, freedom to the families, and peace to our patient people everywhere, and to all the free people of our Arab nation and the free people of the world who support the Palestinian cause.

Speech of the Strategic Initiative Center Malaysia - Palestine

a. Noha Alyan

Ladies and gentlemen, honorable audience

May God's peace, mercy and blessings be upon you, and may God bless you with all the best

We meet today under the umbrella of serious political dialogue within the Palestinian cause forum, which discusses Palestinian rights between reality and future prospects.

This is what we at the Strategic Initiative Center were keen to be part of, and accordingly this forum came as a result of joint cooperation with the International Commission to Support Palestinian Rights (ICSPR).

Through it, several basic axes can be addressed, reviewed by a group of political science professors and researchers, with the aim of enriching the Palestinian political and human rights scene, and laying a foundation for launching and moving to strengthen the Palestinian struggle at the local and international levels, leading to liberation and the establishment of an Palestinian state.

We at the Strategic Initiative Center value every idea and effort presented in this forum because it reflects awareness and interest in following up on the surrounding developments and reformulating the Palestinian movement in order to avoid any political and human rights gap that may hinder or prevent the positive Palestinian movements.

We welcome you again and we are confident in the positive results emanating from the conscious dialogue of the participants, each in his name and title, and we are fully prepared to adopt any idea that would enhance the mobilization of support for the Palestinian cause and turn it into a tangible reality that can contribute to changing the current reality. With such in-depth activities we preserve the cause The Palestinian Authority and its legitimacy are present in the global scene, thank you.

First sheet:

The Palestinian case and the emerging paths to solve the Arab-Israeli conflict

Which scenarios are more likely?

Dr. Tariq Fahmy

Introduction:

The Palestinian cause is entering new paths in light of the situation remaining as it is since the current US administration and the current Israeli government (Naftali Bennett - Yair Lapid) came to power, and the continued state of political division between the two movements Fatah and Hamas, and the absence of any prospect for resuming the political process and entering into a new phase of implementing the presidential and legislative electoral process with the continuation of the periodic escalation between Hamas and the Israeli government, and in light of the escalation of the boiling situation in Jerusalem as a result of the settlers' harassment and the tendency to adopt procedures, measures and legislation from within the Knesset to codify settlers' laws, which led to more tension within the Israeli partisan arena, and which may threaten the disintegration of the current right-wing government.

First: Diagnosing the current Palestinian situation

The Palestinian cause stands at a critical stage as a result of a number of important considerations, the most serious of which is the absence any real Palestinian consensus and keeping the Palestinian conditions as they have been for many years. The absence of a real political vision to correct the path or at least defining its priorities in light of the efforts of each party to adhere to the status quo out of fear of going to the unknown alternative with the political process remaining dependent on a hesitant and confused presidential decision as a result of the lack of real opportunities for work, or offering a political approach that can enjoy political consensus at the minimum level.

1. The suffering of the Palestinian Authority from the lack of any real international support in light of the absence of periodic aid and its confinement to a limited area, which could represent a threat the PA's continuation or its commitment to what is known as the Oslo accords or the Paris Agreement, which may lead to the freezing of the Authority's tasks in light of a real crisis, and the failure of the United States to fulfill what President Joe Biden announced when he emphasized a package of measures towards the Palestinians, yet they were not implemented.

2. The Palestinian Authority's ongoing security coordination - despite an official decision by President Mahmoud Abbas and the Central Committee of the Liberation Organization to stop this coordination, but it is clear that the pressures of the Israeli government, and the successive presidential meetings with a number of Palestinian Authority officials and their counterparts on the Israeli side have led to this, which in turn led to more Palestinian-Palestinian clashes, where the Palestinian factions reject the coordination, and even consider it harmful to the Palestinian position, and clearly hit the Palestinian consensus.

3. The repetition of the crisis of the Palestinian caliphate, fearing that President Mahmoud Abbas would recommend Hussain Al-Shiekh, as happened with the case of Yasser Arafat - Mahmoud Abbas, which is what is being raised among the Fatah movement as the largest Palestinian liberation organization. It is clear that there is more than one current, the most important of which is the current of Majid Faraj versus the current of Al-Rejoub, and both of them seek to resolve the battle of succession, which confirms that the Palestinian Authority, the Liberation Organization, and other Palestinian institutions are in a state of instability that will later reflect on the path of the Palestinian cause.

4. The absence of a new political discourse by the Palestinian Authority focusing on the chances of a solution or heading towards a settlement, with the exception of some political statements by President Abbas on international occasions (the General Assembly), nevertheless, they did not present a new vision or a real comprehensive initiative that could be an entry point. This repetition has led to a remarkable stalemate in disregard for any Palestinian proposal, including placing the occupied Arab lands under international protection. In addition, the international resolutions in favor of the Palestinian cause have also been suspended in light of the Israeli government's refusal to communicate with the current Palestinian Authority, and its focus on the economic dimension in dealing, and the promise to present a package of economic measures and rehabilitation of the population in the West Bank and focus on development approaches to the solution rather than politics.

5. The stay of the Palestinian political system as it is in the absence of presidential and legislative elections made all the current Palestinian legitimacy deficient, and the legitimacy of its status can't be realistically relied upon. Therefore, the reform of the current Palestinian system required holding elections with the reform of the PLO system, and the inclusion of Hamas and Palestinian Jihad in accordance with the admission rules established in the statute

of the organization, and not according to the quota system that Hamas is working to impose and approve according to its conditions to work under the umbrella of the Palestine Liberation Organization.

6. The absence of any opportunities to complete the Palestinian reconciliation, which has been stalled for many years, and despite the mediators' successive intervention, the lack of political will, the absence of the driving forces, the absence of guarantees for the post-reconciliation phase according to the conditions of each party, and the unavailability of confidence-building measures contribute to keeping the Palestinian scene the same, and reconciliation will not take place, rather the policy of the *fait accompli* will be established according to what is happening in light of the Hamas movement's grasp of the rules of the Palestinian game, not only in Gaza, but also, and its quest to control Palestinian institutions and move to Ramallah, especially since the disintegrated Palestinian scene will push Hamas to move in several directions.

Second: the current Israeli reality

It is no Israeli vision on the table for dealing with the Palestinian cause in light of the current Palestinian, Israeli and regional developments and in light of an internally complex Israeli situation that focuses on the idea of survival and continuity and rearranging options while working on the continuation of the ruling right-wing government, and the alternative is another government from the right / Likud. Despite the participation of Arab representatives in this unique government in its formation because it includes 8 discordant parties in its political and social program, this participation did not present any real support or opportunities for the Arab representatives to play in the partisan equation.

In its current reality, the Palestinian cause becomes linked to dangerous Israeli developments that go beyond the lack of an approach or seeking to resume any real contacts with the Palestinian Authority, to engage in integrated satanic schemes in the settlement file, Judaization and passing notorious laws issued by the Knesset in succession aimed at liquidating the Palestinian cause, and giving the settlers the opportunity to move, work and set out to implement their scheme in the Al-Aqsa mosque and legitimize the steps they are taking, and even allow them to carry out excavation and demolition work under the mosque, which will lead to a state of Palestinian turmoil that, if extended, may lead to a real unorganized uprising.

Based on reviewing the programs of the Israeli parties and forces, there are no real or meaningful indications in affirming the Palestinian right to establish the state. Rather, there are general clauses that talk about support, facilities, provision of services, transfer of powers, implementation of the Oslo accords and the Paris Agreement, which confirms that the Israeli proposal to deal with the Palestinian situation is not originally proposed, and there is nothing that can be considered a base to achieve a solution or establish a Palestinian entity in light of what is happening in Israel and an investment in a regional and international climate that will not be repeated and serves the Israeli side, not the Palestinian side, in its paths of movement, but rather encourages further steps taken by the Israeli government, which is indeed considered a government of settlers is striving, with remarkable effort, to liquidate the Palestinian cause and turn it into a humanitarian, not a political cause.

Even assuming the dismantling of the current government or the return of the Likud to power, the priorities put forward by Israel do not place the Palestinian cause or dealing with the Palestinian Authority a high priority. Rather, there is no announced Israeli talk about the possibility of holding a meeting between Israeli Prime Minister Naftali Bennett and his Palestinian counterpart Mahmoud Abbas, in light of the strong partisan and political reservations in Israel to conduct this meeting, and that the trend to escalation and confrontation may be the entrance to the resumption of any real contacts on a new ground, and in light of the emphasis that Israel did not go to real negotiations with the Palestinian side except under the security need and military pressure in Ramallah or the Gaza Strip, which may make sense for the Palestinian resistance movements' approach to changing the rules of engagement and forcing the Israeli side to start resuming Palestinian-Israeli contacts.

The Israeli strategic vision can't be ruled out, which sees that in case of the death of President Mahmoud Abbas and the outbreak of chaos in the West Bank, the solution is a complete withdrawal from the West Bank after making the desired security and strategic arrangements - to address the loopholes of the withdrawal from the Gaza Strip according to the convergence plan - and to leave the Palestinians to decide their fate, especially since Israel has drawn, by a unilateral decision, the separation wall and what is behind it is Palestinian land for them to decide its fate on their own. Hence, the focus, as the strategists in Israel demand, is on security, its arrangements and measures supporting it, and not on politics or negotiations, and that Israel can take anticipation for what is coming, especially since the strategic vision of dealing with the Gaza Strip as an independent region, and the confrontations will continue on an irregular basis,

and that what is required to besiege Hamas is the continuation of the current policy based on encircling and besieging Hamas, in addition to developing defense systems to confront the missiles that are developing and seeking to reach major targets in Israel, which is what Israel deals with by changing the rules of dealing and developing its defense system, and even bringing about a change in the strategy of the national security theory, which Israel is working on developing its provisions to confront what is happening in Palestine and in anticipation of dramatic changes in the current and potential bilateral confrontation system.

Third: The position of the current US administration

The American administration does not have any real orientations to deal with the current Palestinian and Israeli conflict, and the administration of President Joe Biden was satisfied with interfering in the recent Israeli war on the Gaza Strip and looking for an opportunity for calm with the participation of the Egyptian mediator, with only continuing contacts and security and intelligence meetings. The American side did not present any real vision, considering that the American administration did not give the Middle East political or strategic importance and was actually satisfied with being in a reactionary position, nothing more. For this reason, it did not take real measures to support the Authority or its stability, it did not open the Palestinian consulate in East Jerusalem, nor did it open the PLO office in Washington. It is remarkable that the administration of President Joe Biden has placed the Iranian file and the security of Israel over the file of the Palestinian-Israeli conflict by approaching what is happening in the Gaza Strip, which confirms that this administration rejects to engage in the details of the conflict.

Hence, talking about a real American role for reconciliation or the exercise of a political role on the Palestinian and Israeli sides is completely excluded for what remains of President Joe Biden's first term in office, with the expectation that it will be difficult for this president to obtain a new term with his remarkable low popularity and failure to deal with the current international crises in addition to the unprecedented state of division in NATO, and therefore this administration will only provide facilities to the Palestinian side under the current pressures, and not initiate any real and serious proposal that could be an entrance to the resumption of Palestinian contacts.

The US administration will continue its approach by not allowing any international party, whether Russia or France, to interfere in the management of the Arab-Israeli conflict file, or to play a real role in converging views with full coordination with the Israeli government to prevent and thwart any role other than the American role. The United States will not play a role in

pushing the Palestinian and Israeli sides, in light of what is happening, to adopt an approach or a solution, even if temporary, while being satisfied with what is happening with direct efforts to prevent any confrontations or clashes.

Fourth: The regional and international environment and the options presented

In the light of the current scene, the discussion of any proposals or options will be linked to the aforementioned real and known reality that these options revolve in a specific space, because the international community and regional states have historically played an important role, in forcing the Palestinian and Israeli parties to sit at the negotiating table and discuss the thorny issues. Today, this mechanism does not appear to be in place to push the two sides back to constructive negotiations. Although the international community and the Arab countries still cling to the option of a two-state solution in theory, they lack the motivation and the political will to implement this option.

The regional and international environment is currently moving more towards accepting the fait accompli policies imposed by Israel as Israel's move toward gradual normalization of relations with many Arab states has demonstrated that it can increasingly improve relations with its neighbors in the region without paying any price or concessions to the Palestinians.

Realistically, the idea of a one-state, where all residents enjoy equal political rights in a single political entity, does not seem viable. It is unlikely that Israelis would abandon the project of a Jewish state to be part of a multi-ethnic state where Jews make up 50 percent of the population at most.

It is equally unlikely that they will abandon their quest for an independent Palestinian state on the 1967 lands, with Jerusalem as its capital. Similarly, the two-state solution project has already vanished due to successive Israeli policies for more than three decades in the West Bank, which have turned them into isolated cantons and made it difficult to ignore at the Israeli military and political levels in any future negotiations.

In the absence of an integrated Israeli project for a political solution with the Palestinians, and the rejection of the two-state solution and the one-state solution, then the future Israeli steps are directed more towards a common implementation of the one-state solution and the two-

state solution. This mixture that is forming will certainly not result in the two-state solution or the one-state democratic solution. Rather, it will open the door to a mixture of these two solutions in the form of isolated, torn, and devoid of sovereignty Palestinian areas.

This scenario is more likely due to the regional and international situation, which no longer gives the two-state solution a high priority within its geopolitical policies, with the absence of the will for political action and the increasing focus on the problem of the Iranian nuclear program.

Fifth: The Palestinian options on the table

The Palestinian leadership has no alternatives to the accelerated Israeli steps on the ground aimed at turning the Palestinian territories into isolated and divided cantons. Practically speaking, the PA project based on a political solution has ended, and the Palestinian leadership has no choice but to threaten to dissolve the PA, and to resort to international organizations to pressure Israel, an old policy followed by Palestinian President Mahmoud Abbas, but without taking any concrete steps in this regard.

Despite the PA's acknowledgment of the failure of the United Nations, it called on the United Nations to form an international mechanism to provide protection for the Palestinian people on the borders of the Palestinian land occupied in 1967, including Jerusalem, and to call for an international peace conference, and to go to the International Court of Justice. It demanded withdrawal from the Palestinian territories and agreement on permanent status issues.

The authority has intensified its security and intelligence cooperation with Israel, whether in terms of drying up financial support for Palestinian activists or preventive security measures against "resistance movements". Israel took advantage of these conditions to improve the security environment for settlers and the Israeli army in the West Bank, and reduce risks, and was able to reduce the number of army battalions from 82 battalions that were deployed in the West Bank after the second intifada, to 13 battalions in 2019.

President Abbas met for the first time since the Palestinian-Israeli negotiations stopped in 2014 with Israeli Defense Minister Benny Gantz, and they discussed strengthening security coordination and providing economic and living facilities to the Palestinians related to increasing the number of permits for Palestinian workers in Israel, facilitating construction and

family unification, and other economic facilities. After the meeting, Israel agreed to lend the PA 156 million dollars, and approved 5,000 requests to unify Palestinian families, and the fourth generation (4G) cellular communications service in the Palestinian territories.

The two sides met again on December 28, 2021 when Gantz hosted President Abbas at his home in the first meeting of the president of the Palestinian Authority in Israel since 2010. As happened in the first meeting, security and economic issues were at the center of the two sides' discussions, as Israel promised to provide an economic reward and facilities for the Palestinians, in return for strengthening security coordination and dealing with any popular unrest or resistance operations.

Overall, facts on the ground, demographic data, local politics, and geopolitical trends indicate that the continuation of the passage of time will violate the core principles that have defined the parameters of the two-state solution for several decades.

Sixth: The paths and scenarios governing the options presented

28. The Arab-Israeli conflict will face several levels in view of dealing with the Palestinian problem, and acknowledgment that the current negotiations will result in two states, one of which is Palestine on the 1967 borders, while accepting changes agreed upon between the parties through land swaps between the Palestinians and the Israelis, which is what the Quartet agrees on while keeping the matter negotiable between the parties. The hoped-for Palestinian entity must, according to Netanyahu's project, have to be demilitarized, and control over its airspace and borders subject to monitoring while securing the state's borders and maintaining the Jordan Valley, which indicates that the course of the Arab-Israeli conflict will be governed by several directions in the coming years. We point out the following:

First direction:

Achieving a new Arab-Israeli reality in stages that recognizes a Palestinian reality of pressure, and is based on Israel obtaining 70% of the lands and resources and limiting the Palestinian side to the remaining part of the lands for a semi-final settlement project, which will need American-Israeli pressure and Palestinian concessions from the authority with a veiled acceptance by the resistance organizations.

Second direction:

Preserving the orientation of the international powers to leave the future fate of the Palestinian entity and its consequences for the negotiations between the two parties, with direct US support, especially since there is a stumbling block in the Palestinian movement, and contentment with the threat to return to the United Nations and complete the entitlements of full membership after entering the criminal court system, something that in case of failure of the current negotiations, will require specific controls and a new negotiation platform, in addition to monitoring and defining the negotiation based on a biased position in advance.

Third direction:

Exploiting the current Arab atmosphere, which is still not clear and has not been prepared yet, but rather made more concessions, and directing Arab-Arab priorities to other issues that put the Arab-Israeli conflict on a next level.

Fourth direction:

The balance of military and political forces do not work in favor of the Palestinian cause, and therefore the conflict management will continue in light of the agreement that the current negotiating entity should remain in its position while not allowing any concessions in light of an Arab reality that focuses on the fact that the Israeli project is being reviewed now, and that it suffers from real crises, and that Israel will not dare to sign a peace agreement at this time.

The scenarios presented include the following:

The first scenario is the two-state solution (less likely):

This scenario depends on the establishment of a sovereign Palestinian state, side by side with Israel. This scenario comes within the framework of some of the initiatives that have already taken place, including the Olmert-Abbas consensus and the Geneva initiatives based on resolving the conflict between the two parties by establishing two sovereign states. This scenario assumes Israel's withdrawal to the pre-1967 borders, and the return of more than half a million Palestinian refugees to the West Bank and Gaza Strip in stages.

Second scenario: Unilateral withdrawal (more likely):

This scenario is based on a unilateral Israeli withdrawal from a large part of the West Bank, and this scenario assumes the existence of Israeli coordination with the Palestinians with the

support of the international community. In coordination with the Palestinians and the international community, the international community bears 75% of the cost of the withdrawal, while the Israeli government bears 25% and other joint details.

The third scenario is a withdrawal without coordination (possible):

This scenario focuses on a unilateral withdrawal without coordination with the Palestinians, provided that this withdrawal includes part of the West Bank and the displacement of about 30,000 Israeli settlers, and Tel Aviv alone will bear the full cost of their transfer and resettlement again.

Fourth scenario: Return to the resistance option (gradual):

It depends on the existence of non-violent resistance by the Palestinians against the Israelis. This scenario is in line with the Palestinian efforts at the United Nations as well as in other international bodies. Within this scenario, there will be international pressure on Israel and economic pressure represented in boycotting Israeli products.

The fifth scenario: a complete uprising (effective and available):

It focuses on a non-peaceful approach by the Palestinians against the Israelis, through a comprehensive uprising that starts from the Gaza Strip and extends to the West Bank, a scenario that is very likely to happen. This scenario will have significant and impactful repercussions on Israel.

Conclusions:

There is a long series of obstacles that prevent reaching a final agreement on the Israeli-Palestinian conflict: there are wide gaps in the historical visions adopted by the Israelis and the Palestinians, and they widen with the passage of time. There is mutual mistrust and mistrust between the two leaderships and the two societies, where the two sides are very different about the final status of the core issues.

A one-state solution will not be impossible in the long run. And when we take into account the difficult nature of a conflict that spanned a whole century, the goal of the one-state should be considered a protracted struggle beset with various problems.

There is little chance of an Israeli-Palestinian peace anytime soon. And the longer you wait for a solution, the worse the conditions get. But attention should be paid to the existence of real opportunities for the emergence of a new and different generation in the coming years on the Palestinian side (within 5-10 years).

Realistically, the Bennett Lapid government does not have much to offer, where the two-state solution is no longer part of the plans of Israeli society nor the government. Israeli public opinion polls conducted by the Israel Democracy Institute in September 2021 show that 33.3% answered that the government's top priority should focus on the economic situation, and 23.6% made the priority to combat the coronavirus pandemic. Only 4.4% said that the top priority should be working toward an agreement with the Palestinians.

This reality reflects radical shifts in the prevailing attitudes within Israeli society towards the two-state solution, whose support among Israelis has steadily declined over the past decade, from 71% in 2010 to 47% at the end of 2018, according to the Peace Index conducted by the Israel Democracy Institute. A recent survey by Sevan Hirsch-Hoeffler and colleagues at the Interdisciplinary Institute Herzliya has seen support for a two-state solution drop from 47% in 2018 to 40% in 2020.

In light of the decline in the chances of implementing the two-state solution and the failure to adopt an alternative political project, the new government started talking about "reducing the areas of conflict." In the speech of Prime Minister Naftali Bennett, at the swearing-in ceremony of his government in the Knesset, he said: "The Palestinians must take responsibility. Calmness (on the security side) will lead to steps in the economic fields, less friction and less conflict. The same position is also adopted by the Israeli Foreign Minister, Yair Lapid, who is also scheduled to become prime minister alternately with Bennett in case of the coalition completes the ruling, and that the proposal is to reach an Israeli agreement to reduce friction with the Palestinians, by reducing the areas of conflict, at the expense of the two-state solution.

The Palestinian leadership still clings to the option of a two-state solution, although Israel has realistically bypassed this solution. Indeed, it can be said that the Palestinian positions, from a realistic point of view, also identified with the Israeli steps that seek to create a new reality that goes beyond the two-state solution.

The future of the Palestinian political system

Dr. Wajeh Abu Zarifa

Introduction:

The problem of the Palestinian political system lies in the unnaturalness of the emergence of the Palestinian political system itself, whether its establishment, formation, historical context, objective reality, or reading the future.

Its borders were never clearly defined, at least from a political point of view. The political jurisdiction is unorganized and unstable, geographical sovereignty is undefined and even demographic control is intertwined and irregular. All of these facts have made deciding the existence of the natural Palestinian political system a dialectical problem among those who believe that the political system can't exist or be effective and real except after national independence and the building of the future sovereign state.

The dialectic of the relationship between the occupation and the existence of the Palestinian political system in all its stages was clear. The Palestinian people were not able at all stages of building their political system to end the occupation's interventions and sometimes its control over the work of the political, geographical and demographic system. The occupation does not want to see a strong and stable Palestinian regime with political effectiveness, it wants a system that does not draw or implement policies that contradict the interests of the occupation, but rather wants to be a system that follows Israel's vision of managing (the conflict and its continuation) without a solution while reducing its interference to the minimum as an actual occupying power and for others to bear its burdens as it has tried in the local authorities previously and what were known as the links of the villages down to what they wanted from the Palestinian Authority itself.

Signs before the formation of the political system

Palestine, like Bilad al-Sham, was part of the Ottoman Empire until the Sykes-Picot Agreement of 1916 to divide the Ottomans' legacy, and historical Palestine appeared almost as it is now, but no political entity emerged as other countries whose borders were drawn by the Sykes-Picot Agreement. It was accompanied by the establishment of Ottoman rule and the drawing of

the map of historical Palestine by two important events, the first being the issuance of the Balfour Declaration on November 2 / November 1917, by giving Palestine as a national home to the Jews by the British government, as well as Britain's control over Palestine as a mandate over it, and thus Britain's receipt of the trusteeship, which made the British High Commissioner and his administration work to implement the Balfour Declaration and the first thing that would be to ensure the implementation of the promise is to prevent the establishment of an independent political system in Palestine because it will be a system for an Arab state before the increase in Jewish immigration to Palestine and this British policy coincided with Arab inaction by refusing to establish an Arab government in Palestine and the British High Commissioner to hold legislative elections in Palestine. The Arab political formations of parties, movements and bodies remained trapped in informal work only without political changes leading for the emergence of a sovereign political system. And instead of establishing a state for the Palestinians, like the rest of the Arab countries, the Palestinians found themselves facing a campaign of ethnic cleansing of the population, a racist Jewish control over the land, and the establishment of a new state as an alternative to their future state, and all they obtained was a UN resolution on their right to establish an Arab state on part of Palestine through Resolution 181 issued by the UN General Assembly on November 29, 1947.

The Nakba and the possible Palestinian entity

On May 5, 1948, the British Mandate ended and the historic land of Palestine became without sovereignty. The Zionist gangs declared the state of Israel. The Palestinians, their representatives, the Arab League or others did not declare the Palestinian state. The vanguards of the Arab armies entered Palestine claiming to fight the emerging states, but instead of defeating them, they signed an armistice agreement with it implicitly recognizing the new Jewish state and signed borders that were even lower than those of the partition resolution. Instead of establishing the Palestinian state, the armies of each Arab country retained the area they controlled, and it soon became an area under administrative, political and legal control with Egypt in the Gaza Strip, and Jordan in the West Bank and East Jerusalem. Consequently, the Palestinians no longer have a land or a homeland to declare sovereignty over, and our people are no longer united to exercise Sovereignty, the Arab administrations did not give any administrative powers to the Palestinians over what remained of the homeland and people within the borders of Mandatory Palestine.

The beginning of the formation of the Palestinian political system (the All-Palestine Government)

The Arab conflict was at its height over the future of the Palestinian cause. The Arab countries accepted the armistice, the fighting stopped at what became the so-called Green Line to separate the forces, and the Arab armies began to leave Palestine, leaving only the army of the Transjordan Emirate in the West Bank and the Egyptian army in Gaza. The demands of the Palestinians continued to declare a Palestinian state or to embody sovereignty over the remainder of the land of Mandatory Palestine, but the Arab division made Jordan control the largest remaining area in the West Bank that does not recognize the All-Palestine Government announced in October 1948 headed by Ahmed Helmy Pasha Abdel Baqi. Despite Egypt's recognition of it, the Emirate of Transjordan instead called for the Jericho Conference in December 1948, which agreed to annex the West Bank to the Emirate of Transjordan and the formation of the Hashemite Kingdom of Jordan from the two banks, and a wide campaign of the Palestinian national movement began, especially after the assassination of King Abdullah I King of Jordan in 1951, and thus ended the Palestinian dream of declaring an independent state of their own on what was left of the historical land of Palestine at that time.

Instead of being a Palestinian political independence project, the All-Palestine Government turned into a mere civilian administration for the Palestinians under the Egyptian administration and the Hashemite rule in Jordan.

Founding the Palestine Liberation Organization

The Palestinian people realized that the continuation of the path of the fifties and sixties would not lead to national independence, and that the Palestinian people's struggle movement had to advance the ranks in the confrontation towards independence, and accordingly the Palestinian Union was established as a youth and student organization whose main goal is to mobilize Palestinian energies in order to create a body that can fight the battle for independence, especially after Gamal Abdel Nasser came to power in Egypt with his nationalist ideas and the victory of the Algerian revolution, and pressures increased on the Arab regimes to recognize representatives of the Palestinian people. Cairo tried to create a body in the Gaza Strip, but everyone had no choice but to establish an alternative entity to the All-Palestine Government, which failed to continue, especially after the death of its president, Ahmed Helmy Pasha, and Ahmed Al-Shugairi took charge of representing Palestine in the Arab League.

The decision of the Arab summit was in addition to the Palestinian need, effort and desire the main role in the establishment of the Palestine Liberation Organization. The rise of the

Palestinian struggle movement with its various formations of nationalists, Baathists and communists, and the beginning of thinking about the establishment of the Fatah movement, had the primary role in establishing the Palestine Liberation Organization and benefiting from the state of Arab acceptance. Thus, the first Palestinian conference was held in Jerusalem on May 8, 1964, with the attendance of 397 members representing the Palestinians in their various locations, with the participation of the Arab countries and the Arab League, the establishment of the Palestine Liberation Organization was announced, the National Charter was ratified, and Ahmed Al Shugairi was elected Chairman of the Organization's Executive Committee.

Since that time, the Palestine Liberation Organization, especially after the armed factions took control of it and the Fatah movement led the organization, has become the true expression of the Palestinian identity and the aspirations and hopes of the Palestinian people. But it remained the only Palestinian political decision-maker until the formation of the Palestinian National Authority after the Oslo Accords, and thus the first Palestinian authority was established to exercise the powers of the political system on the land and on the Palestinian people after Oslo and the return of the leadership of the Liberation Organization to part of the land of Palestine.

The Palestinian political system after Oslo:

The Palestine Liberation Organization established a new stage when it launched the Palestinian Peace Initiative and the Declaration of Palestinian Independence at the National Council session in Algeria in November 1988, and its acceptance of a Palestinian state on the 1967 borders in accordance with the resolutions of international legitimacy, where more than 120 countries recognized the new Palestinian state, and this preceded the major changes that occurred in the Arab region, especially Iraq's occupation of Kuwait and then the Desert Storm War to liberate Kuwait and destroy Iraq and its capabilities, and thus, the United States and Israel's allies led the Arab region from within, and exerted unprecedented pressure on the organization to force it to make political concessions, culminating in the Madrid Peace Conference in 1991 in an attempt to achieve political gains for Israel, but Israel thwarted the conference and the negotiations that followed it in Washington and opened a new path for secret negotiations in Oslo that reached the 1993 Oslo Accord, an agreement to declare principles between the PLO and the Government of Israel, in which it states how to establish a Palestinian Authority that will assume the civil authorities that were exercised by Israel in its capacity as the occupying power, and then the first Palestinian Authority was formed in the Cairo Agreement of 1994, according to which the PLO, headed by President Yasser Arafat, returned to the land of Palestine in Gaza and Jericho first.

Components of the political system after Oslo

The founding President Yasser Arafat worked diligently to transform the agreement to establish the authority from a self-administering authority to an authority that bears the manifestations of sovereignty and forms the basis for the future Palestinian state, which was hoped to be established within years, that is, after the end of the transitional period, which was limited to five years ending in 1999, so he worked to establish the various authorities and institutions and the various manifestations of multiple sovereignty.

First: Founding the authorities of the new political system

1. Executive Authority

By transforming the Autonomous Administrative Council into a government headed by the president and a number of ministries that suit the state and depart from the political framework of the agreement towards approaching a state government and not an executive administration for self-government.

2. Legislative authority

Since work began on the formation of the Autonomous Council, President Arafat tried to transform the Council into a Legislative Council, which was granted legislative, oversight and political tasks. Elections were held in 1996 for the first Palestinian Legislative Council.

3. Judicial authority

When the Palestinian National Authority was formed, the judicial system was inherited from a large number of previous political and legal systems, starting with the Ottoman rule, the British Mandate, the Jordanian rule, the laws of military occupation and the Egyptian administration. Consequently, work began to establish a judicial authority based on the principle of judicial independence, equality between litigants, integrity, transparency and impartiality.

These components, which were protected by the Basic Law based on the Declaration of Independence, were fully formed and institutionalized, but they were not able to preserve the principles of their establishment to transform the political system into a formally good system, but these principles were not implemented in practice, perhaps the opposite is true.

Second: The crisis of the system after Oslo until 2002

The political system has suffered from a crisis since its inception for structural reasons, political reasons and legal reasons. The political system has not been able to progress towards what was hoped for as a modern democratic system, for the following reasons:

1. The failure of the political process that created the political system and its results are responsible for its structural development, especially in terms of sovereignty and the final form of the system. Instead of leading to the establishment of a Palestinian state after the end of the transitional phase, the transitional phase has continued until now.
2. The merger of the political organization of the Fatah movement with the Palestinian Authority with all its institutions, especially after Fatah's success in the legislative elections with a large percentage and its control over the security services and government institutions.
3. The lack of separation between the PLO and the authority itself, and the organization dissolved into the institutions of authority due to the duplication of positions as well as the financial and functional control of the authority on the ground.
4. The existence of an unfair economic agreement and the signing of the Paris Economic Protocol that linked the Palestinian economy to the occupation state and imposed hegemony on the entire Palestinian economy and controlled it in a way that would not enable the Palestinian economy to be independent or developed.
5. The lack of separation of powers due to the domination of a cretin political trend over all executive, legislative and judicial authorities, and thus turned into absolute domination of internal political life.
6. The emerge of an opposition against the agreement and its secrets, including the National Authority itself, meaning that the opposition was not only on performance but on the political context, which made major attempts from them to thwart the agreement and the authority itself.
7. The absence of development plans, which created a state of separation between society and the authority, and consequently, the state of doubt about the success of the system became high, and the gap between the public and the authority increased, resulting in multiple clashes as a result of the absence of a true democratic life and the increasing dominance of the security services and governing bodies.
8. The continuation of the military occupation, the suspension of the implementation of the agreements, and the lack of commitment by Israel, which weakened the authority and made it unsustainable for development, especially with the arrival of Netanyahu to power and the subsequent forces of the Israeli right.

Invading the West Bank and changing the political system

In **2002**, the Israeli government invaded the West Bank and reoccupied the areas classified as A in the Oslo Accords, besieged the Palestinian National Authority and besieged President Yasser Arafat, and eliminated all aspects of Palestinian sovereignty that were originally fragmented. Consequently, the Palestinian political system entered a deep crisis that threatened its existence.

The road map came as a path to restore peaceful life and prepare structures and institutions to ensure the success of this process within the restructuring of the national authority and security agencies and the creation of a prime minister position with powers to facilitate access to an agreed political solution and the issuance of the amended Basic Law in **2002** and its amendments in **2003**. Thus, the government in Palestine has become a parliamentary system and not, as in the past, a presidential system.

Challenges of the new system:

The new system suffered from problems that contributed to the aggravation of the crisis instead of solving it, including:

1. Overlap of powers between the President and the Prime Minister
2. Keeping many functions of the executive branch outside the framework of legislative oversight
3. Lack of complete clarity on the duties of the president and the tasks of the prime minister
4. Fatah continues to dominate the entire political system
5. The process of changing the regime was not accompanied by an electoral process that establishes a legislative council capable of dealing with what is required organizationally and politically.

Second Palestinian Elections

After the martyrdom of President Yasser Arafat in November **2004**, it became necessary to hold presidential and then legislative elections. Consequently, presidential elections were held in **2005**, and President Mahmoud Abbas won, the legislative elections were postponed, the election law was amended and the number of members of the legislature increased to **132** and the elections were held in **2006**.

The results of the elections were unexpected, as Hamas won 74 seats. Consequently, the results were contrary to the context of the previous period in which the Fatah movement dominated the political field and the entire political system almost unilaterally, and fundamental points of contention emerged, including:

1. The contradiction between Hamas victory and formation of its government, and the foundations of the political system based on signed agreements that Hamas does not recognize or agree to.
2. The challenge before the agencies and institutions that have been formed on a unilateral and factional basis since the formation of the authority and between a government of the opposition that is in contradiction with the political program of the agencies and institutions has clearly emerged.
3. The great overlap between the powers of the president (from the Fatah movement) and the prime minister (from the Hamas movement), and consequently the struggle over control of institutions and capabilities became clear and based on contradictory interpretations of legal bases.
4. Contradiction of loyalty to the components of power, between loyalty to the legal mandate of the government and loyalty to the political project represented by the president and the Fatah movement.
5. The shortcomings in the constitutional and legal system that deepened the dispute over legal and constitutional changes.

All these reasons and others froze any possibility of developing the system and created a state of contradiction that led to the clash that led to the division and Hamas' forcible control of the Gaza Strip in 2007, and then the disruption of the Legislative Council, the dissolution of the tenth government and the formation of a government in the West Bank only, and the dismissed government remained running the Gaza Strip illegally, the unified political system was disrupted, the country was divided geographically, the institutions and unions were divided, the institutions of the authority in the Gaza Strip were overthrown, and the system reached a dead end.

The crisis of the political system in light of the division:

1. A complete division in the institutions, and the existence of a political system that is divided and distorted, and its structural problems can't be developed or addressed.

2. The emergence of a different unconstitutional legal system as a result of the absence of the legislative institution and its replacement by decree-laws from the Palestinian presidency instead of the Legislative Council, and the emergence of a different legal system from Gaza as a result of the continuation of the parliamentary change and reform bloc representing Hamas in exercising its legislative functions in the Gaza Strip.
3. The existence of two governments, each with its own bureaucratic apparatus, which is contradictory in its political, administrative and organizational absolutes.
4. The intensification of the political conflict between the components of each authority in the place of its geographical control, which distorted political life.
5. The absence of elections and the occurrence of electoral processes on the same basis as the division, but rather works to deepen it.
6. Government focus on serving its political vision and its political loyalists.
7. The occupation state exploiting the status quo to evade any political commitments and challenge the unified Palestinian representation.
8. Allow regional and international interventions to dictate conditions to the political system and all its components.
9. Regression of public and private liberties and harming the opposition in various regions under the pretext of protecting the regime from the effects of division.
10. The absence of oversight, accountability, transparency, and the integration and control of authorities by the executive authority and its partisan and political reference.

Obstacles to the natural reform of the Palestinian political system

1. The contradiction between reality and necessity

The process of a natural reform of the political system requires comprehensive clarity between the existing political system that came as a result of historical factors and various accumulations, the most prominent of which is the Oslo Accord and its outcomes and commitments as a fait accompli that completely contradicts the necessity of reforming the system by implementing what is necessary and required, the first of which is how to abolish these outdated obligations and bypassing Oslo and its implementation mechanisms to respond to what is necessary in terms of turning the regime into a state under occupation in implementation of United Nations Resolution 67/19 of 1948, which recognizes the state of Palestine and not an autonomous authority or the PLO as a movement national liberation.

This requires bridging the gap between reality and necessity, or between reality and hope

in building a political system that will pave the way for national independence and liberation.

2. Division heading towards separation

The political, legal and geographical division, and the atmosphere of mistrust between the two parties to the division or the two parties to the government in Gaza and the West Bank makes any step towards reform a matter of great doubt and reservation, and often it is rejected by one of the parties, just as happened in the call for elections and then cancel them or the failure to implement local or other elections in the Gaza Strip.

The process of division and the accompanying two governments, two administrative bodies, separate structures, laws and legislation push towards separation more than it was towards reform or reconciliation.

As long as the division remains, it will not be possible to reform the political system naturally.

3. Absence of partnership mechanisms

Since the Fatah movement dominated the PLO, there was a big difference between Fatah's concept of partnership and the PLO forces' concept of it, as the Fatah movement considered that partnership is hegemony by the absolute majority and allowing the other opinion to argue within the institution and not outside it, and this was to some extent acceptable to other forces that were working to deliver their message.

After the establishment of the self-governing authority, Fatah's hegemony began to increase, and the role of other factions was declining, and remained mere participation, not partnership.

With the emergence of the forces of political Islam, especially the Hamas movement, the mechanisms of partnership or even participation disappeared, and a contradiction resulted between the concepts of unified action and turned to individual action, hegemony, exclusivity, and even exclusion.

4. The absence of democratic mechanisms:

For many years, the mechanisms of democratic action, whether political participation, political development, or even political elections, have been absent, and thus there is no opportunity for mechanisms for accountability and oversight or even a method for the peaceful transfer of power, and every government became a party working to protect itself and its policies and repress its opponents, and access to decision-making

positions depended on organizational extension, favoritism, nepotism, and sometimes bribery.

Opportunities for advancement in the political ladder or positions were absent, the free discussion of issues and opinions was absent, the space for free criticism and constructive dialogue was reduced, and every opportunity for change was absent, and the system continued with its components until it was old or approaching old age and became outside the normal framework for reform.

Future scenarios:

1. The regime has reached a state of inability and failure to manage itself and its resources due to the internal situation, regional variables, or economic crisis, which cause the phenomenon of the regime to dissolve and disintegrate on its own, especially in light of the obstruction of the political horizon and the absence of any opportunity for settlement, as well as Israel's policies that may go far towards destroying the regime in a step similar to what happened in Gaza before 2007 or what happened in the West Bank in 2002.
2. Replacing the system with another system similar in structure, but different in leadership, meaning the emergence of a system that is not very different from the administration of service municipalities in light of Israel's complete domination of the West Bank and the increase of settlement and land seizure and imposition of Israeli laws in the West Bank.
3. Immediate reform of the system: It comes within the consensus of all parties, declaring the seriousness of the situation, offering mutual concessions that contribute to ending division, achieving national reconciliation, agreeing to unify institutions and structures, and forming a government of national accord, national unity, or technocrats that prepares for parliamentary and presidential elections that lead to reforming the system and rebuilding it again according to the agreement of the parties, and this requires a national conviction first, a factional will, international acceptance and regional support and assistance, as well as Israeli silence at the latest.

This scenario seems unlikely so far in light of the charged atmosphere, debates, disagreements, and sometimes fighting, even if it is on a simple and sporadic level.

4. A complete separation: the problem of the political system no longer revolves around ideas of reform, demolition or change, but unfortunately due to reality and division, the idea of dividing the homeland and separation is not strange.

Many calls were launched for the establishment of an independent regime in the Gaza Strip, whether the state of Gaza or the state of Palestine on the liberated Gaza or the separation from the West Bank and the start of a new negotiation path and other ideas.

This option is difficult to make, but the chances of its implementation are high, especially in light of local variables such as Hamas' ability to persuade others to participate in the rule in Gaza, or its ability to weave regional and international relations that allow it to have corridors to the world, or the emergence of international blocs that allow a state in the Gaza Strip only, and the Absence or collapse of the idea of a two-state solution, Palestine on the 1967 borders. This scenario is still on the table, although by all accounts it contradicts the idea of self-determination for all the Palestinian people and is satisfied with a non-viable Gaza n entity.

5. The possibility of forced change: There may be a necessity for change stemming from the necessity as a result of the absence of President Mahmoud Abbas due to the resignation or for other reasons.

Since President Abu Mazen manages all tasks and has all the powers and authorities in his hand, any absence of the president will necessarily lead to a forced change, as happened after the martyrdom of President Yasser Arafat.

If President Abbas remains in power, the first possible scenario is holding presidential and legislative elections in the West Bank, Gaza Strip and Jerusalem, as stipulated in the Cairo Agreement. However, this option is excluded in light of the deep division and mistrust between Fatah and Hamas, especially after the cancellation of the elections that were scheduled for May 2021.

The second scenario is to hold presidential and legislative elections wherever possible, meaning in the West Bank if Gaza decides to boycott them. However, this option is also excluded because it would entrench division and might push towards secession, in addition to the fact that Israel might also not agree to holding elections in Jerusalem, which would entrench the secession of Jerusalem if elections were held without it.

As for the possible scenarios in case of the sudden absence of President Abu Mazen, they include the possibility that the head of the Constitutional Court assumes the presidency of the Palestinian Authority until elections are held, or that the position of the president of the Palestinian Authority is transferred to the Executive Committee of the Liberation Organization, and the organization's secretary may take it on a temporary basis. However, there is only one more practical and logical scenario, although it is neither constitutional nor legal: transferring the powers of the Palestinian Authority presidency to the prime minister in his capacity as the executive authority, with the condition that presidential and legislative elections be organized within 60 days if possible. This option requires national accord.

The problem with this most logical option is that it is almost impossible to implement.

Therefore, it is necessary to invite all political forces to a real and serious dialogue on setting appropriate mechanisms to overcome divisions, implement the Cairo Agreement, reform the political system and hold presidential and legislative elections. It is also necessary to call for a meeting of the secretaries-general to complete the unified work for a comprehensive Palestinian strategy and to work on renewing the Palestinian National Council and holding a session for it that includes all parties, including Hamas and Islamic Jihad. It is also necessary to form the Central Council and the Executive Committee of the Palestine Liberation Organization on the basis of complete consensus and selection.

In the long term, work should be done to consolidate the existence of the State of Palestine, which has been recognized by the United Nations through the formation of a constituent council for the Palestinian state, which could include members of the Central Council, the Legislative Council, the government and the Executive Committee, with the aim of drafting a Palestinian constitution and choosing a president for the State of Palestine.

Emergency treatments for the crisis of the political system

It seems that the division has continued for a long time, especially with the failure of all mediations and the failure to implement all reconciliation agreements, the most important of

which is the May 2011 agreement.

But in order to ensure the continuation of the Palestinian political system as a political entity that must be protected, the following must be done:

1. Continuing the national dialogue, not cutting off the means of communication between the parties to the division, and working hard to try to dismantle the outstanding crises and try to solve the small problems so that the bigger problems can be solved.
2. Implementing the signed agreements as a basis for national reconciliation and national accord, unification of institutions and separation of powers on the path to rebuilding unified institutions.
3. Agreeing on a program of struggle against occupation, settlement and Judaization, and building a unified national strategy that supports the steadfastness of the Palestinian people on their land, prevents external migration, expands popular resistance, and unites the components of the people behind a leadership capable of bridging the gap between the programs of the various parties, especially the major ones.
4. Working on serious preparation for elections and formulating a unified national vision and ensuring the participation of the assembly according to proportional representation and according to the national contribution.
5. Leaving the box of unfair agreements, especially Oslo or its aftermath, especially the Paris economic agreement, addressing economic and social development crises in Palestinian society, and researching how to develop administrative and organizational capabilities in line with a long-term development plan.
6. Effectively upgrading the status of the authority in line with the international resolution 67/19 of 2012 to raise the status of Palestine to a state, bear the consequences of that, and develop clear visions for this process, which must reach the state of Palestine as a state under occupation.
7. Reviving the process of drafting a constitution for the State of Palestine and activating the international community in order to complete this process with its political and legal

implications and to join all international institutions as a state and to demand that the Palestinian representation be raised to the representation of a state everywhere.

8. Working to form a constituent assembly that includes everyone, whose main task is to establish the state of Palestine as a state for all Palestinians, as stipulated in the independence document, and for this council to be representative of all components of the Palestinian people inside and outside, including political forces, civil organizations, communities, popular institutions and others.
9. Protecting public and private liberties and freedom of expression and assembly, stopping all violations of the Basic Law and the human rights system and activating the role of women, youth and trade unions in the democratic process.

Addressing the crisis of the political system without solving the problem of division is impossible and has no future without achieving national reconciliation and without a national consensus that addresses all the problems that led us to this crisis, whether at the political, legal or administrative level, and that any attempt to develop the system will fail due to the division

Therefore, the entrance to any correction process, whether political, administrative or legal, is completely linked to ending the division.

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Forms of the Palestinian National Struggle and their Impact on the liberation Project.

Dr. Hossam Al-Dajni.

Obstract:

The study aims to research the forms of the Palestinian struggle and compare them with the forms of the global struggle that fulfilled the liberation project, and also aims to address the impact of the Palestinian forms of struggle on the liberation project. The problematic of the study begins by answering the main question: What is the effect of the forms of Palestinian struggle methods on the liberation project? The researcher relied on interviewing some political, intellectual and factional elites, and what distinguishes this study from others is that it added something new and qualitative to the field of knowledge in light of the scarcity of writings on the reason for the delay in fulfilling the Palestinian national liberation project. The most prominent results of the study are summed up in the fact that the Israeli occupation differs from other forms of colonialism in that it is a settlement occupation on a land without people, and that the absence of a national strategy agreed upon by the Palestinian community, which includes ways to get rid of the occupation, control concepts and terminology and lead a legal battle in order not label the Palestinian struggle with terrorism, by emphasizing its legitimacy, which stems from the right to self-determination.

The study recommended the need to agree on an agreed upon national strategy, and the Palestinian leadership recommends reviewing all legal gains and researching the reasons for not applying them on the ground. The study also recommends the Palestinian factions to adopt all forms of resistance, especially the demographic, intellectual, scientific, and economic resistance, and give priority to one form over another according to the requirements of the national interest. The study concluded with the most important recommendation, which is delaying the idea of the state in favor of strengthening the idea of social cohesion, advancing social capital, and addressing the negative effects of establishing an authority under occupation and division.

Keywords: Forms of resistance - armed resistance - popular resistance - peaceful resistance - legal resistance - the Palestinian national project - methods of resistance - the intifada.

Introduction:

Many international liberation movements have succeeded in gaining their independence, while the Israeli occupation has been occupying the Palestinian land for decades, and the Palestinian liberation movements have not succeeded to date in achieving their goals and aspirations of their people, while the Zionist project has made great progress, which raises the question: Is the problem in the forms and paths of the Palestinian national struggle, or is the problem in political investment, or something else?

The study will analyze this reality by searching in two directions:

First: a comparison between the international forms of struggle and the Palestinian forms of struggle.

Second: the impact of the Palestinian forms of struggle on the national liberation project.

The problem of this study is determined by answering the main question: What is the effect of the forms of Palestinian struggle methods on the liberation project?

This study aims to research the forms of the Palestinian struggle and compare them with the forms of the global struggle that accomplished the liberation project. It also aims to address the impact of the Palestinian forms of struggle on the liberation project for an elite and factional group.

To address this objective, the historical and comparative method will be relied upon.

By the forms of the Palestinian struggle, the researcher means: all the practices of the Palestinian people against the Israeli occupation, including peaceful - popular - political - armed - legal - media - cultural - economic resistance, etc...).

By the Palestinian national project, he means: liberation, the return to Palestine with its historical borders, and the exercise of the right of self-determination on the land of Palestine.

As for the Zionist project, the researcher means that it is a project led by the global Zionist movement, which was founded in **1897** in the Swiss city of Basel, supported and adopted by major colonial countries, to establish a national home for the Jews on the land of the State of Palestine.

The first axis: the forms of struggle globally.

Throughout history, the world has witnessed many experiences of the occupation of other countries. In our contemporary history, France occupied Algeria in 1938, the racial discrimination practiced by whites against blacks in South Africa since 1948, and the United States' occupation of Vietnam in 1958, and others.

In Algeria, the armed revolution (the Million Martyrs Revolution) broke out on 1/11/1954 against the French colonialists, and it lasted for 7 years, and it achieved its goals, how...?

What is remarkable about the Algerian revolution is two issues: the first is the unity of the Algerian parties and liberation movements in the National Liberation Front. Second: A large part of the financing of the revolution was from the Algerians in the diaspora.

In South Africa, there were many forms of peaceful struggle, perhaps the most important of which is the struggle against racial discrimination against black citizens at the hands of white citizens, to name a few, the bus boycott movement in Johannesburg and some other provinces has achieved success that has encouraged South Africans to continue the national protests. This prompted the international community to move and pressure former South African President Frederick to release Nelson Mandela and allow blacks to exercise their political, civil and social rights and end the era of racial discrimination practiced by whites against blacks.

As for Vietnam, which was subjected to French and American occupations, "the United States of America did not leave any military means to pressure Hanoi but used it, starting with the forced gathering of the population and passing through the liquidation of the communist revolutionaries in the southern countryside and the use of B/52 planes to destroy the vegetation cover, and ending with the intensification of the bombing of cities and sites in the north, but the Vietnamese revolutionaries worked within the strategy of street war and inflicted heavy losses on the allies and worked by all possible means to weaken the state of the south in Vietnam. What is remarkable is the solidity of the Vietnamese political position in the negotiation, which started from a specific political settlement that begins with the foreign withdrawal from Vietnam, and the holding of elections to unite the Vietnamese into one state, which is exactly what happened.

The researcher focused on the three models of dozens of revolutions that the world witnessed, based on:

The similarities between the three revolutions and the Palestinian revolution, and there is a repetition of the scene, for example: "The conditions of the national liberation movement in South Africa did not differ from the conditions of its Palestinian counterpart through all stages of the struggle, where it suffered from all the hardships, calamities and scourges stemming from power relations totally tilted in favor of colonialism and the racist oppressive regime, and this movement was subjected to the most horrific means of repression, assassination, torture and ethnic cleansing by the intelligence of the apartheid regime, which succeeded in infiltrating the ranks of this movement, including leaders in the Communist Party.

Since its founding on January 1, 1965, the Palestinian National Liberation Movement, Fatah, adopted the popular war of liberation, inspired by the Algerian experience, which achieved its victory in 1962, but after 57 years of armed struggle, the Fatah movement, as a leader of the Palestinian national project, did not succeed in achieving independence. The left was inspired by the Vietnamese idea, guerrilla warfare and the streets did not achieve national independence. Then the Islamic trend arose, adopting other forms of resistance, but it has not achieved results according to which national independence be achieved.

Three of the most important factors for the success of revolutions in our contemporary world are:

1. The difference of the colonizer: in all the revolutions that got rid of the occupation, the colonizer was the army of the colonial state, while in Palestine a settlement entity (colonial) arose through successive migrations from the West to Palestine to form a people, land and sovereignty over the ruins of the Palestinian Arab people.
2. The unity of the components, parties and groups behind a secure and trusted leadership to achieve national independence, and to adopt a liberation strategy that is not stopped by political temptations or external interference, nor is it influenced by interest groups.
3. Resistance in all its forms is valid to get rid of colonialism, but experiences say that the involvement of the leadership of the resistance in political work and its sacrifices are an important gateway to persuading peoples to sacrifice and abide by the decisions of the leadership.

The second axis: the forms of the Palestinian struggle:

Since the days of the Ottoman Empire, the Palestinian people practiced all forms of the national struggle that the whole world has practiced. They practiced the method of submitting protest

notes in 1891 to the Grand Vizier in Constantinople, asking him to intervene to prevent Jewish immigration and prohibit Jews from owning Palestinian lands. The Jordanians also practiced armed struggle against the Zionist presence, which crossed the borders of Palestine to reach Transjordan by establishing a settlement there in 1898. Among the forms of resistance practiced by the Palestinian people through different times were: writing petitions, incitement through newspapers and various media, comprehensive strikes (1936, which lasted 6 months), boycott in its various forms to the Israeli occupation, popular conferences, popular uprisings, and the Great Return March, which revived the idea of return and liberation in the Gaza Strip, the Bil'in, Ni'lin, Beita, and Al-Masara marches against the wall and settlements, and the diplomatic, legal, media, and armed resistance, which took various forms from shooting to martyrdom operations through stabbing or bombings, and missiles that were locally manufactured or imported from abroad such as: the Grad, the Kornet and the Russian-made anti-aircraft Strella, in addition to the drones.

Resolving the controversy requires adjusting the concepts and terminology as follows:

First, the definition of resistance.

Resistance is military, political, cultural or economic actions that arise as a means to restore a right, freedom or human dignity. These situations can be shown as an attempt by one party to rob another party's freedom of choice, so these actions are aimed at being able to restore this freedom.

Second: the definition of popular resistance.

There are many definitions that dealt with the concept of popular resistance. The concept of Palestinian popular resistance expands to include many and overlapping aspects of peaceful struggle against colonies, the wall, and occupation practices. It includes a comprehensive boycott of "Israel" internally and externally, as well as cooperation with global and wide networks of solidarity activists. Popular resistance is also the action initiated by national and popular elements, which are not subject to the regular authorities, and for the sole purpose of freedom.

Almost all peoples practiced popular resistance when they were subjected to occupation. One of the most important examples through which peoples practiced resistance is what Spain did against the occupation of Napoleon Bonaparte, and the Vietnam revolution erupted against

French colonialism between 1945 to 1954, then against the Americans in 1965, and the Indonesian revolution against the Dutch in 1954, and the Algerian revolution against France in 1954. The expression "popular resistance" is an expression with an undetermined meaning, and is subject to many interpretations, and it may include armed and unarmed resistance, as the armed resistance is also popular resistance.

By following the Palestinian issue and the statements of the leaders of the Palestinian factions, the researcher sees the lack of agreement on the concept to employ it in political discourse. Accordingly, we see that President Mahmoud Abbas focuses on the concept of peaceful resistance, and Hamas focuses on armed resistance, as if armed resistance is independent of popular resistance for Hamas. As for President Abbas, there is a distinction between peaceful resistance and popular resistance, and the principle is that popular resistance is agreed upon as an option that includes violent and nonviolent resistance, and the assessments of the Palestinian leadership remain to determine the requirements of the national interest in using the best method among the forms of resistance.

Third: the definition of armed resistance

Some jurists defined the popular armed resistance as "the resort or the forceful action of the population to overthrow the occupying authority to liberate their lands and achieve freedom and national independence. Professor Abdel-Ghani Imad defined armed struggle as "a legitimate use of armed force aimed at expelling the foreign colonizer, liberating the national will and extracting the natural and legitimate right of sovereignty and independence.

Fourth: the definition of peaceful resistance.

Despite the intersection of many methods of peaceful resistance with popular resistance, I can summarize it as employing all non-violent methods in the service of liberation from occupation, the most prominent of which are: the media - the use of international law and international forums - cultivation of the land - national celebrations - peaceful marches that do not conflict with Law - Statements and Protest Notes - Writing Articles and Petitions - etc.

Fifth: The reasons for the success of the forms of struggle of the international liberation movements compared to the Palestinian case

There are Palestinian constants that no one can override, which are stipulated in the Palestinian National Charter, which are based on the liberation of all of Palestine, and that the Palestinian

factions are a tool to achieve the goal, and that the resistance in all its forms is a means to achieve the strategic goal, and according to the previous matrix there is theoretical controversy about the reason for not delaying the completion of the national project, is the reason for the tool (the factions) or the means, which is the resistance, or is the tool in comparison with the tool of the Israeli occupation state (the Israeli parties) are not equal, in the sense that the Israeli social capital is superior to the Palestinian social capital in terms of Societal cohesion, quality of education, and consensus on the strategic goal of establishing a biblical Israel from the Nile to the Euphrates, or in the inequality of the means (resistance in all its forms) with Israel's military power and its international and regional incubator....?

In order to answer this important question, it was necessary to interview a small sample of the political, intellectual and factional elite, and because the study is a qualitative and not a quantitative study, the researcher contented himself with eight interviews to explore and analyze the situation.

Dr. Imad Mohsen, the official spokesman for the Democratic Reform Movement in the Fatah movement/ the reasons behind the failure of the Palestinian liberation movement in achieving its goals are the following:

1. The first problem of the Palestinian cause is that it was occupied by an international resolution (the Mandate Deed), sponsored by Britain first and then America, and with absolute support from the West, and not ending with the Partition Resolution (No. 181) that granted the Israeli occupation a legal status.
2. The Zionists came from the diaspora to Palestine as occupiers, not colonizers, and considered Palestine their homeland.
3. The Palestinian cause is the most conspired issue in human history.
4. The Palestinians have failed to build a true national unity capable of mobilizing the entire Palestinian people, and the programs have remained divergent in an incomprehensible way.
5. The elements of power that are still in Israel's hands far exceed what is available on the Palestinian side. This is a matter of accumulating data that has complicated the matter.

Member of the Political Bureau of the Popular Struggle Front, Mahmoud El-Zeq, answered the study question:

The main reason for the inability of the Palestinian national liberation movement to achieve its goals is related to the nature of the conflict, as we are not facing a traditional colonialism that strives to control the goods and resources of the occupied peoples, we are facing a special colonial situation that seeks to control the land, including what is on it, and this will only happen by expelling the people from their land and replacing them with Jews, which is what actually happened. This is the essential difference between us and the other occupied peoples who struggled against their occupiers and won, and achieved their independence, and we must remember the Zionist saying promoted by the Zionist movement that Palestine is a land without a people, for a people without a land.

Dr. Mansour Abu Karim, a writer and political analyst close to the Fatah movement, believes that the conflict with the Israeli occupation is different from the experiences of other peoples in that the Israeli occupation is different because of its support from the Zionist movement and the United States of America, and the difference is a major challenge for the Palestinian people, in addition to the transformations in the structure of the international system and the control of the United States over it, and the state of political division.

Dr. Hassan Abdo, a writer and political analyst who is close to the Islamic Jihad movement, believes that the reason behind the failure in achieving national liberation project is due to the birth and emergence of the Zionist movement, which was embodied by a strong push from the world order after the First World War, which came in two axes, the first: the establishment of Israel. The second: the establishment of a divided and fragmented Arab system.

Dr. Asaad Judeh, the leader of the Islamic Jihad Movement in Palestine, explains the failure of the Palestinian liberation movements to achieve their goals to the state of guardianship exercised by the Arab regimes over the PLO and the liberation movements. Despite the development of resistance movements after the Al-Aqsa Intifada in 2000 in the use of peaceful and military tools and the withdrawal of the Zionist occupation from Gaza, but it was unable to form a state of complete national liberation for the most important reasons: that this Zionist entity carries a current colonial project implanted by global powers, in addition to the Palestinian Authority's lack of faith in the resistance project and its adherence to Oslo and its commitments, and the lack of an Arab and Islamic will that supports the Palestinian people and their resistance in obtaining their rights and liberating their land.

Member of the Political Bureau of the Democratic Front for the Liberation of Palestine, Talal Abu Zarifa, believes that the failure to complete the national liberation project is due to: First: the nature of the Israeli occupation, as it is a settlement entity that came to establish a homeland on the land of Palestine and at the expense of the right of our people, Second: the bias of the capitalist countries with this entity, which represents its warhead in defending its interests on the front lines, and therefore it is in its interest to maintain and continue this occupation, prolong its life and defend it, and thwart all attempts aimed at applying international law to condemn it. The writer and political analyst Nidal Khadra identifies three reasons for the failure of the implementation of the national project in comparison with the international liberation movements:

First: the struggle over geography.

Second: the international system support of the occupation state.

Third: the case of targeting the Palestinian revolution with all its political components, especially the undeclared targeting by most countries in the world.

Fourth: The state of decline that affected the revolution due to international changes, most notably the fall of the Soviet Union and the communist bloc, and the transformation of the international system from a bipolar system to a unipolar one led by the United States of America.

Hamas leader and Palestinian historian Dr. Issam Adwan sees that the dominant colonial influence in the Arab world plays an important role in withholding Arab support to an extent that does not affect the scales of the conflict.

Also based on the opinions of some political analysts and some leaders of the national and Islamic action, the researcher extracted many issues in determining the reasons behind the delay in the completion of the national liberation project:

1. The form of the Israeli occupation compared to the experiences of global liberation, where everyone agreed that it is a settlement occupation that stems from a fixed base that Palestine is a land without a people, and the right of the Jews to it is a historical right, and accordingly, the migrations continued to settle on the land of Palestine, in the place of its original inhabitants.
2. The State of Israel constitutes a spearhead for Western countries that preserve their interests as a barrier state between Asia and Africa, to obstruct the establishment of any Arab and Islamic renaissance project capable of competing with the West.

3. Some international parties are working to maintain the balance of power in favor of the occupation state, to ensure hegemony, control and influence over the Middle East region.
5. The Arab regional system did not provide real support for the revolution of our Palestinian people, especially in terms of support with weapons and money, which enhances the steadfastness of our people and contributes to a balance of terror, at the very least.
6. The Palestinian people did not present a model of national unity and national consensus on a national strategy that defines the various forms of resistance that could achieve an achievement in the interest of the national liberation project.
7. The sample of the political and factional elite unanimously agreed on the necessity of adopting an agreed upon national strategy, and working in all forms of national struggle in accordance with the requirements of the national interest sanctioned by that strategy.

The third axis: the impact of forms of resistance on the national liberation project:

This axis constitutes the most important axes of the study as it deals with the forms of the national struggle and their impact on the national liberation project. This axis discusses the armed struggle, the peaceful struggle, the popular struggle and their impact on the Palestinian national project.

First: The armed struggle and its impact on the national liberation project

Armed resistance is legitimate resistance according to international law, despite attempts by some international parties to intimidate the use of weapons, which is what actually happened with the Palestinian resistance, which was classified as terrorist movements by the United States in 1996, and by the European Union years later, and the question posed reflects the double standards of the international community and its injustice: Is Ukraine's resistance to the Russian occupation of its lands legitimate or terrorism...? The answer alone reflects the reality.

Since the political and intellectual elites have unanimously agreed that the Israeli occupation is different from any colonialism in the world, and is linked to the occupation of a land and the uprooting of a people, the logical equation for returning the people to their land is based on uprooting the occupier and returning it to where it came from, and this can't be done without armed resistance capable of achieving this goal in light of the imbalance of power, the bias of the

world in favor of the entity, and the failure to adopt an Arab position capable of supporting the Palestinian people.

"The right to use force within the framework of the right of self-determination by armed resistance movements is legitimate in international law, and it is one of the basic guarantees for the exercise of all human rights and the rights of peoples alike." Accordingly, the researcher believes that the use of armed resistance is one of the most important options for a positive impact on the achievement of the liberation project.

Second: The popular struggle and its impact on the national liberation project

The popular resistance constitutes a meeting point between all components of the Palestinian people, which was stated in the speech of President Mahmoud Abbas at the Conference of the General Secretaries of the Palestinian factions, which was held in Beirut and Ramallah on 3/9/2020, and it was written in the final statement, despite the state of theoretical controversy that was not resolved by the Conference of Secretaries-General on the concept of popular resistance, it is within the logical and well-known context that the armed resistance is not part of the popular resistance, and because the international and regional mood, and the Palestinian situation, which suffers from sharp division, requires going to a popular resistance that restores consideration for the liberation project, and this will have a positive impact on the national liberation project in comparison with the current situation, and with the normalization in the Arab region.

Third: The peaceful struggle and its impact on the national liberation project

Peaceful struggle as expressed by the Palestinian leadership, the weapon of boycott, the media, international law and what it contains of international courts and resolutions of international legitimacy, diplomatic and political struggle, and what is included in nonviolent resistance are main pillars of the peaceful struggle.

A. The struggle in the field of economics

Since its occupation of the rest of the Palestinian land in 1967, the Israeli military administration has sought since that time to link the economy of the West Bank and the Gaza Strip to the Israeli economy, and to make it a consumer market for Israeli products, and has taken steps represented in closing Arab banks, imposing taxes and fees on products and real estate, and placing obstacles to the development of the industry.

The behavior of the occupation in economic dealing with the Palestinians in 1967, did not differ much from the reality in which we live now, despite the many differences represented in the presence of a Palestinian Authority and an Israeli withdrawal from the Gaza Strip. However, this approach to destroying industry still exists, as Israel destroyed during its repeated aggression against the Gaza Strip more than 2000 economic establishments.

Israel also worked to attract Palestinian workers to work within the Green Line, and achieved three goals:

- The Palestinians went to work and this prompted them to abandon their education, not to cultivate their lands, and leave it empty so that it would then become part of the ambitions of the expansionist settlement projects.
- Reviving the Israeli economy, in return for Palestinian economic dependence and political influence on the Palestinians.
- Using the workers' card to blackmail the Palestinian leadership and the factions by linking work to the security situation.

B. The struggle through culture and education: Since its occupation of the Palestinian territories, Israel has worked on a policy of ignorance, which was the closure of schools and universities for long periods, the bombing of libraries and universities, and the confiscation of newspapers, and now it is working with its allies to target Palestinian content on social interaction platforms, in addition to what it is doing to change educational curricula, and support for the directed media sector that works within the psychological war on the Palestinian people to influence their national culture, and perhaps the state of political division helped the occupation to achieve a breakthrough in the concept of who is the enemy, in light of the media rivalries between Fatah and Hamas, which are considered the tent pillar of the liberal project.

Within the previous two models, the most important features of the peaceful struggle program should be based on three pillars:

First: the economic pillar, which is represented in the departure from the Israeli economy, and this can't be done without shifting towards development, supporting and strengthening the industry, trade and agricultural technology sectors, which provides job opportunities, ensures

the cultivation of the Palestinian land, and contributes to strengthening the resistant housing that constitutes a barrier between the settlements and citizens' lands.

Second: the quality of education. Developing education, working on the quality of school curricula, paying attention to the Palestinian teacher and preserving his dignity is one of the most important forms of Palestinian peaceful struggle, because social capital is the most precious possession of the Palestinian people, and in order not to be a burden on the national situation, the development and advancement of education is a priority of any national strategy.

Third: Improving the health sector, in a way that ensures upgrading the level of service that enhances the resilience of the citizen, and this can't be done without quality education and the upgrading of teachers, doctors and other disciplines necessary for our struggle.

C. The political and legal struggle and its impact on the national liberation project

The political struggle is considered one of the most important and lofty forms of the Palestinian struggle, for more than one reason, the most important of which are:

- The least expensive and the most effective if it works well.
- Most accepted at the local, regional and international levels.
- It is considered the gate through which all other forms of struggle (armed - popular - peaceful) are invested.

The researcher will deal with the political struggle in detail:

First: the legal struggle

The general mood at the level of peoples, civil society organizations and a large part of states respects the course of international law and international humanitarian law to resolve conflicts and disputes between states and peoples, and the international system has dedicated many courts and institutions for this, perhaps the most important of which are: the International Criminal Court - the International Court of Justice - the Human Rights Council, which are institutions established to serve states and peoples, and to respect human beings and their legitimate rights.

- I. **The International Criminal Court:** After the State of Palestine joined the International Criminal Court, the leaders of the Israeli occupation state practiced crimes of genocide, as happened with families who were wiped out from the civil registry, and they also practiced crimes against humanity, in addition to the behavior of settlers, all of which are crimes that the Palestinian Authority can pursue the occupation after joining the

International Criminal Court on all of the above, but the question remains, why did the PLO leadership not start its legal struggle in a clear and effective manner against the Israeli occupation...?

Answered by Dr. Nasser Al-Qidwa, the former foreign minister and a member of the Central Committee of the Fatah movement, said: Whoever did not sue the occupation in the International Court of Justice, I do not believe that it will sue him in the International Criminal Court.

- ii. **International Court of Justice:** The Palestinian people exercised their legal struggle through the International Court of Justice after Israel built an apartheid wall with a length of **770** km in the occupied West Bank, including about **142** km in the part surrounding Jerusalem, which reflects the image of Israel that is compatible with the apartheid regime in South Africa and what was known there as "Bantustan", a system whereby blacks are prohibited from entering white areas without permits and procedures.

The Palestinians succeeded in the legal battle against the apartheid wall through the International Court of Justice, which issued an advisory opinion on July **9, 2004**, ruling that the wall, along with settlements, constitute a violation of international law. The court called on Israel to stop work on the construction of this wall, and to dismantle the parts that it built and compensating the Palestinians for the damage. However, the observer of the wall file raises a question: the wall is still standing, where did the legal opinion issued by the International Court of Justice go...? And what is the future of international legitimacy decisions and recommendations of human rights councils...?

We asked this question to the political and factional elites, and the answers were as follows:

Imad Mohsen, the official spokesman for the Democratic Reform Movement in the Fatah movement, believes that international law, the rulings of international courts, and the decisions of the international community are binding only on weak states, and Israel sees itself as a force that transcends the limitations of this law. The world has never resorted to real pressure on Israel, with the exception of its aggression in **1956** - and other than that, the decisions remained ink on paper.

I must point out that international conflicts such as Kosovo, Iraq and Ukraine have proven that the international community is fickle and hypocritical, and that it behaves with double standards, and that its last concerns are the inalienable rights of our Palestinian people to freedom and independence.

Member of the Political Bureau of the Popular Struggle Front and member of the Central Council of the Palestine Liberation Organization, Mahmoud Al-Zeq, explained that the implementation of the resolutions requires international consensus on them, especially the countries of the Security Council. The United States constitutes a cover to thwart all UN resolutions against Israel.

Dr. Mansour Abu Karim, a writer and political analyst close to the Fatah movement, believes that this is due to the double international standards in dealing with the Palestinian file, and the international position prevents the implementation of international legitimacy resolutions due to the United States leading the international system and therefore provides legal cover for the Israeli occupation state.

Dr. Asaad Judeh, a leader in Islamic Jihad, says: Despite many international resolutions criminalizing the occupation, they remain ink on paper unless they are based on Chapter VII to punish the occupation for its crimes and force it to stop them and comply with international law, and this will not happen because of the American veto, and the Palestinian Authority has been emptied of its content and is not playing its required role in pursuing the occupation in international institutions in response to the international pressures that fund it.

Dr. Issam Adwan, a leader in Hamas and a Palestinian historian, believes that the reason is the failure of the Palestinian leadership represented by the leadership of the Liberation Organization to play the role assigned to it in influencing the international community.

The researcher believes that there is a division among the elite about the legal dimension and the reasons for not implementing the decisions, as some see that the failure to implement the decisions of international legitimacy is basically linked to the duality of international standards in dealing with third world countries in general and the Palestinian cause in particular, but when I asked by the former Palestinian Foreign Minister who held

the position of Permanent Representative of Palestine to the United Nations, Dr. Nasser Al-Qidwa, who is also headed the legal team charged with providing the legal opinion of the apartheid wall, he said: "The legal opinion against the apartheid wall is a legal treasure, but unfortunately nothing serious has been done to follow up by the Palestinian leadership, despite our attempt to adopt a resolution from the General Assembly of the United Nations, after which nothing happened.

What was said by Dr. Nasser intersects with the visions of some of the interviewed elites that part of the Palestinian problem is linked to the current influential leadership, which is afraid to go to international courts for various reasons.

From my point of view, recourse to international law, international criminal law and international humanitarian law should become an integral part of the Palestinian resistance, and the political elites, factional leaders and the media of the resistance factions must be trained on the importance of studying international law and international conventions, and forming a public opinion that pressures the leadership of the Palestine Liberation Organization , to follow up on all decisions and cases before international courts, and we have the case of Shereen Abu Aqleh.

Double standards exist, but acknowledging them is a form of defeat. It is required, after agreement on the national strategy, to include a road map to confront this challenge.

iii. Human Rights Council:

"The Human Rights Council is an intergovernmental body within the United Nations system responsible for the, promotion and protection of all human rights throughout the world, and for dealing with cases of human rights violations and making recommendations thereon. The Council has the ability to discuss all issues and situations related to human rights that require its attention throughout the year. The Council holds its meetings at the United Nations Headquarters in Geneva, made up of 47 member states of the United Nations elected by the United Nations General Assembly. The Human Rights Council replaced the former United Nations Commission on Human Rights starting in 2006.

The Human Rights Council issued many positions in support of the Palestinian right and rejecting the crimes of the occupation state, for example, but not limited to, the Goldstone Report to monitor war crimes in the Gaza Strip after the large-scale Israeli military operation, the Zionist aggression in **2008-2009**. An investigation team into the **2014** war, and an investigation team after the Battle of Saif al-Quds in Gaza in May **2021**, as well as the council's decision to blacklist more than one hundred Israeli companies, in addition to many statements condemning the occupation for its crimes.

The impact of the positions of the Human Rights Council on the Palestinian national liberation project is significant, as it appears that Israel is a state of terrorism and apartheid, where investigation teams' reports described Israel as having committed what may be classified as war crimes and crimes against humanity. This increases their isolation in front of societies, and weakens them from within, based on the importance of the moral factor in the cohesion of states.

Fourth axis: results and recommendations.

First: results.

1. The Palestinian liberation movement differs from its counterparts in the world from several angles: that the Israeli occupation is a long-term occupation and settlement of the Palestinian land and the uprooting of its people, and that it is the spearhead of the major colonial powers in the Middle East that preserves their interests, and prevents the establishment of any Arab and Islamic renaissance project. Colonialism in the world is based on stealing resources, increasing influence, opening new markets, and building a network of interests that qualifies it to lead the world.
2. The absence of an agreed upon national strategy in Palestine constitutes a major obstacle to the adoption of forms of Palestinian national struggle capable of rehabilitating the national liberation project.
3. The Palestinian situation is characterized by differences that contribute to weakening the chances of achieving the national liberation project and the aspirations of the Palestinian people.
4. The influential Palestinian leadership pursues an incomprehensible policy in the forms of peaceful struggle adopted by President Mahmoud Abbas, especially those related to legal struggle, such as the advisory opinion of the International Court of Justice on the wall.

5. The absence of national consensus on the method and form of struggle for this stage constitutes a weakness of the national project, which reinforces the train of normalization and Judaization.

Second: recommendations.

1. The study recommends that the political leadership of the Palestinian people should agree on a national strategy based on evaluating the experience of the Palestinian national struggle, and invigorating the national project, by employing all forms of resistance in accordance with the requirements of the national interest determined by that strategy.
2. The study recommends that the Palestine Liberation Organization and the Palestinian Ministry of Foreign Affairs review all the legal gains that Palestinian diplomacy has succeeded in achieving, such as the advisory opinion of the International Court of Justice against the apartheid wall, and other decisions, and hold accountable those who obstruct their follow-up.
3. The study recommends that the national and Islamic action factions should adopt all forms of national struggle, but on the basis of unifying concepts and terminology in order to influence Western public opinion within a unified and clear discourse that does not accept interpretation.
4. The study recommends transferring the experience of the Great Return March, and the experiences of Bil'in, Ni'llin, Beita, and others that pursued popular resistance to the rest of the Palestinian areas.
5. The study recommends the necessity of delaying the idea of the state in favor of strengthening the idea of social cohesion and the advancement of social capital, and addressing the negative effects of establishing an authority under occupation and division.
6. The study recommends demographic, intellectual, scientific, and economic resistance as the most important types and forms of resistance that are suitable for the next stage.

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Bureau of the Popular Struggle Front, on May 14, 2022.

An interview conducted by the researcher, with Mansour Abu Karim, a writer and political analyst close to the Fatah movement, on May 15, 2022.

An interview conducted by the researcher, with Asaad Judeh, a leader in the Islamic Jihad Movement in Palestine, on May 13, 2022.

An interview conducted by the researcher, with Talal Abu Zarifa, member of the Political Bureau of the Democratic Front, on May 14, 2022.

An interview conducted by the researcher, with Nidal Khadra, writer and political analyst, on 5/16/2022.

An interview conducted by the researcher, with Issam Adwan, a leader in Hamas and a Palestinian historian, on May 12, 2022.

An interview conducted by the researcher, with Hassan Abdo, the writer and political analyst, on 12/5/2022.