



## AMAN's Annual Conference 2022

### Political Integrity

**Policies of Both Sides of the Division Related to the Management of the Gaza Strip: their impact on Governance Integrity and Political Corruption**



# **Policies of Both Sides of the Division Related to the Management of the Gaza Strip: their impact on Governance Integrity and Political Corruption**

**Working Paper Presented  
to  
AMAN's Annual Conference 2022**

## **Strengthened Governance Integrity or legitimized Political Corruption and Deepened the Division?**

- Among the consequences of the Nakba of the Palestinian people in 1948 the Gaza Strip (GS) was severed geographically from the rest of Palestine, for the purpose of this paper we will say from the West Bank (WB). This also meant fragmentation of the Palestinian people between both bodies of land, in addition to the hundreds of thousands of refugees who were displaced and distributed to neighboring countries (Diaspora) and those remaining within the 1948 occupied Palestine (i.e., under Israeli control).
- Objective and subjective reasons over the years following the Nakba have led to the existence of economic, social and legal differences between Palestinians living in the WB and those in the GS.
- In 1967 Israel occupied the rest of the Palestinian land (the WB&GS) and placed it under Israeli military rule. As a result, opportunities for communication between Palestinian citizens in the WB&GS were restored.
- Successive Israeli governments, over the years, adopted different and diverse public policies on the settlement and fate of the land it occupied in general and the GS in particular. Occupying the GS posed many problems for the occupation governments mainly because of its population density (the current population of the GS is approximately 2 million people living in 362 square kilometers the majority of whom are refugees). Therefore, many Israeli governments expressed the desire to leave the GS since it can have an impact on future settlements of the conflict.
- All Israeli offers for a political settlement showed their readiness to withdraw from the GS. However, they were rejected by the Palestinian and Egyptian sides.
- In 2005, Ariel Sharon, the Israeli Prime Minister adopted a unilateral disengagement plan after he changed his policy and vision...from a Palestinians state in Jordan to a Palestinian state in the GS. He implemented this policy by withdrawing his army from the GS as well as dismantling colonies and transferring thier inhabitants to Jaffa and Lod.
- Neither the PLO nor the PA developed any special policy for administering the GS after the withdrawal of the Israeli army. In practice, the GS became and remains to be an arena for power struggle between Hamas and Fatah.

## **Policies and Vision of the Ruling Authority's ( Hamas) management of the Gaza Strip**

### **First: Policy and mechanism of access to power:**

Following the power struggle which had intensified after the 2006 election results, Hamas adopted a policy of military power (force) in 2007 to take over key positions in the government of the GS. Hamas's election campaign in 2006 centered on questioning and doubting the integrity of public officials in the PA. This was one of the most prominent factors that favored its candidates in winning the election, in addition to a large number of citizens who voted for Hamas in protest of the corruption of some key officials in the PA. The movement justified its policy of military rule by saying that it was forced to do so because it was not allowed to govern (i.e., in the PA legislative council).

- After the conflict was resolved in its favor, Hamas continued to apply its control policy over the GS by appointing individuals loyal to the movement in leadership positions of civil institutions (nepotism and favoritism) and its newly established security institution hence benefiting from decisions of the PA. This compelled the PA to call on public employees in the GS to strike.

- The existing authority in the GS also adopted a policy of appointing heads of the local government units ( LGU ) ,who are loyalists to the movement as an alternative to elections, in order to control the management of these important positions.

### **Second: Policies to end the internal division**

- Hamas exercised its authority by relying on and claiming legitimacy to rule in the GS because it enjoyed a majority in the PLC (results of the 2006 elections). In its negotiations to end the division, it placed two conditions: to restructure the PLO where it (Hamas) is represented and to participate in a joint government with the PA. Hamas kept the GS hostage in exchange for this entitlement as a condition for ending the division.

### **Third: Political and ideological policies in the management of the GS**

- An Islamic State Project: With the outbreak of the Arab Spring in 2010, Hamas was encouraged to build a model for an Islamic state mainly by the Arab Muslim Brotherhood (Policy for the Islamization of the State) supported by the movement's ideological wing. However, due to lack of clarity of vision and knowledge of building a modern state such as its conditions and direct needs of citizens, this experience failed and specifically after the failure of the Brotherhood's experience in Egypt.

And to continue its control over the GS, it refused to hold elections. This led to a distorted entity with a semi-government, semi-legislative council and a weak judiciary, in addition to the disintegration of the slogan "There is no state without Gaza and no state in Gaza".

- The resistance square project: Hamas practiced the policy of considering the GS as a party to the axis of resistance and a central arena for clashing with the occupation. This was followed with an escalation of Israeli attacks and incursions into the GS. It also led to the assassination of Hamas and Islamic Jihad leaders, especially after the capture of the Israeli soldier Gilad Shalit, where the Israeli occupation carried out several wars on the GS which exhausted the majority of citizens and destroyed the infrastructure in the Strip.

- As a result of all of the abovementioned, Hamas adopted a policy of calm and truce in exchange for securing the necessary needs to achieve community stability under its rule.

#### **Fourth: Financial and administrative policies**

The authority was compelled to strengthen its control in Gaza by adopting a central administrative policy to occupy important administrative positions. It applied the rotation policy by rotating officials' positions in centers of governance and administration, most of whom were supporters of the movement. It also strengthened its hold on key public administration positions and subjected its decisions to the benefit of the central government's control over the difficult reality in the GS. In that regard, it often passed special legislations such as imposing fees or taxes to secure sources of funding for its management and expenses. It executed that without adhering to a transparent policy in the management of the public budget and public resources.

These policies led to a decline in the integrity of governance and hence reinforcing the internal division and isolation of the Strip. Hamas also adopted an administrative, financial and legal policy to be applied in the GS in accordance with partisan interests at the expense of the public interest. Certainly, adopting such a policies was in favor of the movement's control over the GS, but it created an environment of intolerance and an attitude of placing personal interest before public interest.

### **The Palestinian Authority's Policy Towards the Gaza Strip**

#### **First: Administrative policy:**

- No political and institutional review was conducted by the government of the PA to formulate a special national policy to manage the GS after the withdrawal of the Israeli occupation army. Instead, it was dealt with as a matter of formality whether administratively, developmentally, nationally or legally same as other regions and cities, as if no change has taken place.
- At the beginning of the internal division and the power struggle over the GS, the PA government in the WB adopted a general policy of siege and incitement against the authority in Gaza. It also placed obstacles in its way such as supporting the public employees' strike; backed those who support the legitimacy of the PA and President Abu Mazen, and punished those who cooperated with the Hamas government.
- Instead of adopting a comprehensive and unified administrative policy to manage all sectors, the PA espoused a hardline policy assuming a key role to monopolize overseeing donor aid for the reconstruction of Gaza. It also applied this same policy in granting passports to Palestinians in the GS. On the other hand, an administrative understanding between the two authorities (the PA and Hamas) was reached concerning some sectors such as: the Tawjihi Exam, Al-Hajj transactions, the Cash Social Assistance Program, combating poverty and work/labor in "Israel".

#### **Second: Financial policies:**

- Adopting an undeclared but practiced punitive financial policy dealing with the Strip as a rebellious region by reducing financial, logistical and technical support for the Strip. These measures worsened as the crisis of the PA's fiscal deficit increased reaching the point of considering the Strip as a financial burden.



### **Third: Politically:**

- The financial and administrative reform policy plans provided to donor countries do not present the WB&GS Palestinian institutions as an essential part of the objectives.
- Formation of a non-unified judicial council between the WB&GS; issuing a number of legislations (laws by decisions) to be applied in the WB only.
- Adopting a policy of postponing general elections (legislative and presidential) for partisan interests and not for the public interest after it was agreed to be conducted with the participation of Hamas; postponement of the reconciliation to end the internal division under the pretext that the Hamas authority hinders the return of negotiations in the political process due to its non-acceptance of the conditions of the Quartet, which are: the recognition of Israel, adherence to the signed agreements and resolutions of international legitimacy and that holding elections is not in the interest of the ruling party, according to opinion polls.

### **Fourth: Applied policies:**

- Result: decline in the integrity of the political systems (in the WB&GS) and reinforcement of the internal division, where the slogan "There is no state without Gaza and no state in Gaza" led to the emergence of a fragile, weak and distorted state in the GS and a weak and fragile PA in the WB.
- The emergence of a working environment of a political system that is based on an excessive centralization of governance and abolishment of the separation of powers. As it stands, centralized power is exercised without an elected legislative authority and without independent judicial oversight, which provided an opportunity for a number of centers of influence and loyalist to obtain special privileges at the expense of public interests without accountability.

**AMAN**  
Transparency Palestine



**AMAN was established in 2000 as a civil society organization that seeks to combat corruption and promote integrity, transparency and accountability in the Palestinian society. The Coalition was first formed by an initiative from a number of civil society organizations working in the field of democracy, human rights and good governance. In 2006, the Coalition was accredited as a national chapter for Transparency International.**

**AMAN is a Palestinian think tank and a specialized body providing knowledge on corruption at the local and regional level through producing specialized reports and studies. The periodic publications include: The annual Integrity and Anti-Corruption Report, the annual Palestinian Integrity Index and the National Integrity System studies and reports, in addition to the Coalition's continued contributions to produce reports and studies on the status of corruption in the Arab region.**

**As part of the global anti-corruption movement - and of international alliances and partnerships with relevant specialized coalitions and organizations - AMAN plays a key role in the transfer and contextualization of necessary international knowledge and tools to combat corruption in all sectors.**

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