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Arafat's Succession

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Summary

Palestinian leader Yasir Arafat's death on November 11, 2004, reopened questions about who would succeed him as President of the Palestinian Authority, Chairman of the Palestine Liberation Organization (PLO), head of al-Fatah, and President of the unilaterally declared Palestinian state. It is unlikely that one person will succeed Arafat in all four positions. This report describes the mechanisms for replacing Arafat in his four positions and lists a few of the many possible successors. The report may be updated as necessary.

Background

Late October 2004 reports of Yasir Arafat's failing health opened speculation that the Palestinian leader had influenza, cancer of the digestive tract, leukemia, gall stones, intestinal infection, or some unnamed stomach affliction. Tunisian, Egyptian, Jordanian, and Palestinian doctors reportedly conferred and agreed that Arafat should go to Paris for treatment of his undisclosed or undetermined malady. On October 29, Arafat was flown from his Ramallah headquarters, where he had been confined under virtual house arrest by Israeli armed forces since 2002, to a French military hospital for treatment for a blood disorder. On November 4, Arafat had lapsed into a coma, and on November 11, he died. His remains were flown to Cairo for a military funeral and then to Ramallah for burial on November 12.

The press reported on November 5 that Prime Minister Ahmad Qurai had assumed some of Arafat's duties, including control over finances, and that Mahmud Abbas, former Prime Minister and then deputy head of the PLO, was assuming some of Arafat's policy roles. Leaders of Fatah, Hamas, the PLO, Islamic Jihad, and other groups met in Gaza on November 5 to discuss a post-Arafat transfer of authority.

Arafat's succession had been an issue because of his advancing age (born 1929), recurring health problems, the apparent palsy and other possible neurological after-effects of his 1992 plane crash, the reported decline in his popularity among Palestinians, and

comments by Israeli leaders that he was irrelevant and that Israel might seek his removal.¹ The Israeli right-wing press called for “action” against Arafat, which some interpreted as advocating imprisonment or even assassination.

Current Status and Procedures

Yasir Arafat (a.k.a. Abu Ammar) held four positions: the elected President of the Palestinian Authority; the Chairman of the Palestine Liberation Organization (PLO); the recognized head of Fatah, the largest component of the PLO; and President of the state of Palestine declared in 1988. It appears unlikely that one person will replace Arafat in all four posts. Procedures for replacing Arafat in the four positions are not always clear.

Palestinian Authority.² Yasir Arafat was elected President (“rais” in Arabic, translated as “boss,” president, or chairman) of the Palestinian Authority (PA) on January 20, 1996, with 87% of the vote. His opponent, Samiha Khalil, entered the race because she believed a non-competitive election would present a negative image of Palestinian democracy. Under the Gaza-Jericho agreement of May 1994, the elected President and Legislative Council were to serve during the five-year interim period from the 1996 elections until May 1999, by which time it was believed that the Israelis and Palestinians would have negotiated a permanent peace treaty and the Palestinians would have in place a permanent government that would conduct future elections. The interim period expired on May 30, 1999, at which time the 88-member elected Palestinian Legislative Council and Arafat’s term as President presumably expired as well, although no one has challenged the PLC or Arafat’s remaining in office since then.

The electoral law passed on December 7, 1995, established procedures for the January 20, 1996 election of the Palestinian Legislative Council and the President. After the January 20, 1996 elections, the Palestinian Authority Legislative Council (PLC) passed a Basic Law that provides for elections for the PLC and President. Article 90 of the 1995 electoral law and Article 59 of the Basic Law are similar; both provide for filling the office of President if vacated by death, resignation, or judicial removal for incompetence. The PLC must approve by a two-thirds vote either a resignation or a constitutional court decision that a President is incompetent to continue in office. Once the President’s office is vacant, the Speaker of the PLC becomes the acting President for 60 days, during which time a new President is to be elected. The current PLC Speaker, Rawhi Fattuh (alternate spelling Rauhi Fattouh), became the interim President on November 11.

Israel has prevented the Palestinians from holding new elections for the Palestinian Authority Legislative Council and for President. The Palestinians were in the midst of a voter registration drive aimed at January 2005 elections when Arafat became ill in late

¹ James Bennet and Joel Greenberg, “Israel Breaks with Arafat After Palestinian Assault on Bus in West Bank Kills 10,” *New York Times*, December 13, 2001; Harvey Morris, “Israel Says It Will Not Force Arafat Out,” *Financial Times* (London), December 15, 2001; Matt Spetalnick, “Attacks ‘Delegitimise’ Arafat — Israeli Army Chief,” *Reuters*, December 18, 2002.

² Succession procedures and issues for the PA, PLO, Fatah, and the state are covered in Jean-Francois Legrain, “The Succession of Yasir Arafat,” *Journal of Palestine Studies*, vol. XXVIII, no. 4, Summer 1999, pp. 5-20.

October. Israel will have to relax the military restrictions (“closure”) on movement in the West Bank and Gaza to allow for political meetings, for campaigning, and for voting.

Chairman of the Palestine Liberation Organization.³ The Palestine National Council (PNC), a 400-member body representing the PLO’s constituent groups, elects an 18-member Executive Committee, which in turn elects a Chairman from among its members. There is no Vice Chair, but it was widely recognized that Mahmud Abbas was Arafat’s deputy in the PLO. Upon Arafat’s death, it was reported that the Executive Committee elected Mahmud Abbas to be Chairman of the PLO.

Leader of Fatah. (Palestine National Liberation Movement, Arabic initials reversed are f, t, and h, also the root for the word “conquest.”) Fatah members elect a Central Committee that serves as Fatah’s governing body. The Fatah Central Committee does not have a leader, chairman, president, or other designated head, but governs through collective control. Arafat has emerged as the leader, but without the title. The procedure for replacing Arafat is not known. November 12 press reports said Faruk Qaddumi has replaced Arafat as head of Fatah. Qaddumi remains headquartered in Tunis and rejects the 1993 Declaration of Principle. Recent polls show that Marwan Barghouti, currently serving an Israeli life sentence, is the most popular figure among Fatah members after Arafat.⁴

President of the State of Palestine. The PLO National Council (PNC) elects from among its members a 124-person Central Council (PLOCC) that acts as an interim governing body for periods when the PNC is not in session. The PNC declared a state of Palestine at its November 15, 1988 meeting in Algiers. The PNC then charged the PLO Central Council with the task of forming a government to represent the new, unilaterally declared state. On March 30, 1989, the PLO Central Council elected Yasir Arafat to be the President and Faruk Qaddumi to be the Foreign Minister of the state, but did not elect any other members of the government. It is not clear if the PLOCC will meet again to elect a replacement President for the state of Palestine or if the post will remain vacant.

Factors That Could Influence Succession

Several factors could influence succession. Candidates for one position, PLO Chairman for example, might find themselves competing with a candidate for another position, such as PA President, in a contest to determine which post is more important or should have more influence. Some Palestinians may try to avoid a competitive political campaign for leadership posts out of fear that the competition could degenerate into a civil war. Other candidates could use the threat of a civil conflict to intimidate the Palestinians into accepting their leadership.

There is a division between the “insiders” who remained inside the traditional boundaries of Palestine, endured Israeli occupation, and led the first intifadah (uprising) against the Israelis, and the “outsiders” who left Palestine for Jordan, Lebanon, or Tunisia and who returned to Palestine after the 1994 Israeli-Palestinian agreement. The outsiders

³ Organization of the PLO can be found at [<http://www.palestine-un.org/plo/frindex.html>].

⁴ International Republican Institute, “Poll Reveals Support for Elections Among Palestinians,” September 27, 2004. [<http://www.iri.org>] or [<http://home.birzeit.edu/dsp>].

— among them Arafat, Abbas, and Qaddumi — hold many of the PA posts and the bureaucracy positions. Another division among Palestinians associated with the militant Islamic organizations, such as Hamas and Palestinian Islamic Jihad, and the more secular Palestinians may trigger animosity, oppression of the Islamic minorities, or possibly a civil war. One scenario offered by some observers is that Hamas/Islamic Jihad would gain control over Gaza and Fatah would gain control over the West Bank, and the two territories would become separate Palestinian “states.”

Outside forces could be a factor in the future of Palestine. Israeli officials could influence the selection of a successor by announcing that they would or would not negotiate with a potential leader or by detaining or arresting a nominee or candidate they did not favor. Foreign involvement by Syrians, Americans, Egyptians, Jordanians, or others also could influence succession.

These or other factors could slow a succession process, or even stop the process and leave the Palestinians leaderless for an extended period of time — say, two years or more. Similarly, the Palestinian community could remain paralyzed if three or four leaders emerge from the succession process, with more or less equal capabilities and popular support, and none is able to lead the Palestinian community.

And finally, it is difficult to predict what effect a succession process might have on the Israeli-Palestinian peace process, which at present is moribund. It appears likely that the peace process would be on hold during the succession process, similar to the way peace negotiations have stopped for Israeli elections. It is possible that Israel or the United States could view the transition as an opportunity to restart the peace process. With regard to the possible successors listed below, Qurai, Abbas, and Shaath were involved in the Oslo process and may be able to find acceptable compromises. Rajub and Dahlan reportedly have been successful in negotiating security arrangements with the Israelis. Qaddumi and Barghouti have voiced their opposition to the current peace process. Erikat and Nusseibeh have taken the position that peace is necessary and negotiable. But, success in the peace negotiations may depend upon the political climate at the time, popular support for peace, foreign pressures, and Israel’s commitment to the process.

Possible Successors

Mahmud Abbas. (a.k.a. Abu Mazin, various spellings Abu Mazen, Mahmoud) Abu Mazin was born in 1934 in Safad, was a founding member of Fatah, and has served as the Secretary of the PLO Executive Committee since 1996. He has a law degree from Damascus University and a Ph.D. in history from the Oriental College (Moscow). Abbas was a prime negotiator of the Oslo agreements along with Ahmad Qurai and Nabil Shaath, and signed the Declaration of Principles in September 1993, and the Interim Agreement in September 1995. According to some, he lacks the charisma needed to lead the Palestinians and has been plagued by rumors of corruption triggered in part by his lavish house.⁵ According to press reports, Arafat told President Clinton in January 1998 that Mahmud Abbas was his chosen successor.⁶ Abbas served as Palestinian Authority

⁵ Legrain, “The Succession of Yasir Arafat,” p. 10, op. cit.

⁶ Douglas Davis, “Arafat Names Abbas as His Successor,” *Jerusalem Post*, February 5, 1998; Christopher Walker, “Ailing Arafat Has Named Moderate as Successor,” *The Times* (London),

Prime Minister from March 19, 2003, until September 6, 2003, when he resigned after disagreeing with Arafat over control of the security forces. Abbas has been named the new Chairman of the PLO following Arafat's death.

Ahmad Qurai. (a.k.a. Abu Ala, various spellings Qureia) Abu Ala was born in 1938 near Jerusalem and currently is the Prime Minister, having replaced Abbas in September 2003. Qurai was elected Speaker of the 88-member Palestine Legislative Council in 1996, and served in that post until his appointment as Prime Minister. Qurai was the lead negotiator of the 1993 Oslo Declaration and subsequent agreements and maintains contacts with moderate Israelis. Reportedly, Qurai has little popular following, and may be held in disdain by many Palestinians because of his role in peace negotiations with Israel.⁷

Jibril Rajub. (various spellings Jabril Rajoub) Rajub is the chief of Preventative Security on the West Bank. Now 51 years old, Rajub spent 17 years in an Israeli prison for throwing a grenade at an Israeli military vehicle. While in prison, Rajub taught himself Hebrew and English, and studied history. Rajub was the primary Palestinian representative in talks with Israeli and CIA counterparts on security issues. Rajub supports a two-state solution, opposes terrorism, and is considered a moderate.

Muhammad Dahlan. Dahlan is 43 years old, and was the Preventative Security chief for the Gaza Strip and the Minister of State for Security Affairs. Dahlan participated in the July 2000 Camp David negotiations where he engaged Israeli Prime Minister Barak in conversations in fluent Hebrew. Some observers consider Dahlan a potential rival to Rajub. Dahlan was involved in the controversy over who should control the Palestinian security forces, eventually losing to Arafat's chosen Chief. But later, Dahlan was named Minister of State for Security Affairs.

Nabil Shaath. Shaath was born in Galilee in 1938, and earned a Ph.D. in economics from the Wharton School, University of Pennsylvania. Shaath is a member of the Fatah Central Committee, head of the Fatah Advisory Council, and a successful businessman. Shaath, along with Qurai and Abbas, negotiated the Oslo agreement and remains involved in peace negotiations with Israel.

Faruk Qaddumi. (a.k.a. Abu Lutfi) Qaddumi was born in Nablus in 1931, was a founding member of Fatah, was the head of the PLO Political Department, and according to press reports has been named head of Fatah following Arafat's death. He was elected Foreign Minister of the state of Palestine by the PLO Central Committee in 1989. A hard-liner, Qaddumi does not support the Oslo peace process, and has remained in the PLO headquarters in Tunis. Qaddumi is not part of the Palestinian Authority.

Saeb Erikat. (various spellings Saib Irikat, Erekat Ereqat, Uraykat, Irikat, etc.) Erikat was born in Jerusalem in 1955, worked as a journalist for 12 years, and received a masters degree in political science from San Francisco State University and a Ph.D. in conflict resolution from Bradford University (England). He was elected to the PLC from

February 6, 1998.

⁷ Lee Hockstader, "Emerging Questions: If Not Arafat, Who?" *Washington Post*, December 20, 2001, p. A36.

Jericho, and serves as the Minister of Negotiation Affairs in the Palestinian Authority cabinet. Erikat has been involved in the peace negotiations since 1995.

Marwan Barghouti. (various spellings Bargouti, Barghouthi) Barghouti is 44 years old, from Ramallah, and a Fatah commander. Barghouti heads the Tanzim, a loose collection of street-wise demonstrators and Fatah fighters, credited with many of the attacks against Israeli authorities in the al-Aqsa intifadah (popular name for the uprising that began in September 2000). Israeli authorities arrested Barghouti in April 2002, and put him on trial one year later for murder and terrorism. Found guilty in May 2004, Barghouti was sentenced to five consecutive life sentences plus 40 years on June 6, 2004.

Sari Nusseibeh. (various spellings Nusaiba, Nussaybah) In October 2001, Arafat appointed Nusseibah to be the Palestinian Commissioner for Jerusalem, replacing the late Faisal Husayni. Nusseibeh is the 53-year old Oxford-educated president of al-Quds University, and is known for his outspoken pragmatism. He advocates exchanging Israeli settlements in the occupied territories for the Palestinian right of return, and has said that the intifadah was a mistake.

Hamas Leaders. A few Hamas leaders might assume leadership of a Gaza Strip rump state or might step into broader Palestinian leadership roles. Khalid Mashaal (various spellings Khaled Mishaal, Mashal), the political leader of Hamas, currently is in exile in Damascus, Syria. Mashaal, born in 1956, was the target of a 1997 Israeli assassination attempt in Amman, Jordan. Musa Abu Marzuk (various spellings Mousa, Marzouk, Marzuq) is the deputy chairman of the Hamas political bureau. Marzuk was born in 1951 and currently is in exile in Damascus, Syria.