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*Palestinian Competitive Identities:
Between Nationalism and Islam^{1,2}*

Tożsamości palestyńskie: między nacjonalizmem a islamem

ABSTRACT

The Palestinian people which is vying for independence amidst its struggle against Israel, has become a divided house both ideologically and territorially, with two rival leaderships contenting for the hearts of their followers.

While the Palestinian Authority, which had signed the Oslo Agreement in 1993, has taken its resistance from violence and strives to conclude an agreement for its independence with Israel, and has held under its control, with some Israeli help, the West Bank, the Hamas, which has objected to, and refuted any idea of settling peacefully with Israel, has seized the rule of Gaza and established a radical government which does not recognize the PA's primacy in Palestinian politics.

The decision between those two competing authorities may either decide the fate of the Palestinian people in the years to come, or doom it to insolubility.

Key words: Oslo, Yasser Arafat, Palestinian Authority, Hamas, Egypt, violence, terrorism

A “Palestinian position” or “policy” is impossible to gauge, since that is a divided house, with not only two rival ideologies, but also two rival authorities and political

¹ Some sections of the article were published in a previous Raphael Israeli paper: *State and Religion in the Emerging Palestinian Entity*, in: “Journal of State and Church”, Vol. 44, Spring 2002, pp. 229–248.

² The interview with Raphael Israeli will be published in the forthcoming volume (vol. XX, 1/2013) of the “Annales UMCS Sectio K: Politologia” Journal.

entities: the PA as personified by the PLO and based in the West Bank, and the Hamas, guided by Islam and based in Gaza. Israel had signed the Oslo Accords with the first, but never won the recognition of the other, and in turn recognized the first and dealt with it, but remains mutually obtuse to the existence of the other. Therefore, the positions adopted by all sorts of Palestinian delegations who negotiated with Israel may, at best, reflect the views of one part of the Palestinian people, and assessing what the Palestinians might or might not do, or accept, or reject, would hinge very much upon their factional alignment. For that, let us first try to comprehend the basic contours of identity of the two parts, so as to try to grasp the different approaches the two have embraced with regard to Israel and, in turn, what sort of policies or approaches might be necessitated towards each of the two of them.

As long as the Palestinian entity existed only as a goal set forth in political slogans to inspire political struggles, the question of state and religion, which has been afflicting many an Arab/Islamic state, did not come to the fore as an acute problem confronting society. At most, one could observe various contending trends in a society in transition vying for different, even competing modes of life, while the issue of a predominant philosophy or ideology that would govern the body politic was pushed to the sidelines, or made subservient to the more pressing need to attain independence, or to rid the Palestinians of their perceived occupiers/oppressors.

IDENTITIES IN COMPETITION

The construct “state and religion” has conjured up since the medieval “wars of investiture”, a confrontation between the two powerful establishments of the Church and the state, in their bid to dominate all aspects of society. Today, this has become a competition, covert or overt, between two worldviews, aimed at converting public opinion to their respective causes and views, and forcing a decision between applying the sacral-dogmatic-scriptural in modern life or, on the contrary, making the temporal-pragmatic-legal prevail. The “state” part of the construct would normally base its appeal on nationalism, and the initially secular and particularistic notion, while “religion” would claim a more universalistic approach derived from some divine authority. Hence the dichotomy between the secular-nationalistic political culture, which would tend to adopt rational measures, some based on compromise and negotiation to achieve its goals, versus the religious-dogmatic imperatives of self-righteousness and single-mindedness, which usually often lead to fanatical and unbending conduct. Hence the near impossibility to bridge over the two philosophies, as we have seen in the frustrating years of creating a vain *rapprochement* between the PLO and the Hamas over the rule of Palestine during the Oslo years. In many Islamic entities, like in Iran, Afghanistan, the Sudan, Pakistan, the Gaza Strip and others, the Islamic movements took over from incumbent “secular” regimes, when the latter were not considered “Islamic enough”.

THE SECULAR BRAND OF NATIONALISM

Sensu stricto, we tend to regard nationalism as a militant movement which articulates the link between man and a particular land, what we usually call a “patriotic feeling”, in Arabic *wataniyya* (*watan* = homeland or motherland). But there are more meanings to nationalism: a policy of national independence, a policy of rescuing industry and other economic assets from the hands of foreigners (by nationalizing them), a chauvinist feeling of narrow and exclusive identity to set us apart from others, or a doctrine that lends precedence to national values over international ones, and even provides a particular interpretation or national character and national values. Sometimes, this nationalism can come to be personified in the figure of a charismatic leader (e.g. abd al-Nasser, Saddam Hussein, Yasser Arafat). Nationalism is also a matter of identity. Man seeks his roots, and he desires to locate the origins of his being in an attempt to determine who he is, particularly in this cosmopolitan world of ours where values and consumer goods have become universalized. At times, man looks for a traumatic event or moment in his collective past (a revelation, a myth, an act of heroism, a founding father, or some historical cataclysm) which helps explain how in the remote past that happening had turned an inanimate material culture, or a haphazard collection of individuals into a culture, a religion, a people, a history, an ethnic or national group. In the search of those links to past, real or imagined, people often create their own mythology that lends depth to their history.

The Palestinian national ethos, which took shape only within recent memory, has created over the past few years a multi-faceted identity that links it, on various levels, to many of the above mentioned aspects. Indeed, the Palestinians today rewrite their history so as to incorporate in their ancestral background the Cana’anites and the Jebusites³. They profusely use the succession of calamities that befell them in 1948, 1967, 1970, 1982 etc.⁴ to draw their ranks closer; they cultivate, like the Jews of Israel, an almost mystical connection to the land; they promote their particularistic history and culture; they are today brandishing national symbols (flag, headgear, anthem, slogans, elected institutions, stamps, literature and poetry, passports, police, etc), in preparation to assuming the paraphernalia of full fledged independence, which will bring with it sovereignty, currency, armed forces, and all the other attributes of national existence. Finally, they elevated the figure of Yasser Arafat, their national symbol for over a generation, almost to the level of a cult of personal-

³ In addition to this prevailing theme in recent Palestinian publications, even such respected scholars as Sari Nuseibeh hark back to this myth as if it were a fact of history. See his jointly authored book with Mark Heller [Heller, Nuseibeh 1993: 32].

⁴ The 1948 War, which generated Israel’s independence and the problem of Palestinian refugees, is often termed *al-Nakba* (the Disaster), and so is the defeat of all Arabs by Israel in 1967, which ended in Israel’s occupation of the West Bank and Gaza. In 1970 the PLO was forced out of Jordan following Black September, and in 1982 the PLO was forced by Israel out of Lebanon.

ity, much to the exclusion of other major personalities in the Palestinian pantheon of heroes⁵.

Most significantly, these elements appear in Palestinian writings and thinking, not only as the self-defining traits of Palestinian nationalism, but also as the requisites setting them apart from, and often pitting them against, the enemy – Israel, Zionism, the Jews – because they are the ones who are perceived as posing a challenge to the Palestinians, and it is to them that the Palestinians feel constrained to respond. For example, the Cana’anite claim is clearly geared to legitimize the Palestinian title to the land that has been snatched from them, as they see it, by the Zionist Jews who built Israel, and who themselves base their claim on their line of descent from the biblical Israelites who had conquered the land from the Cana’anites. Thus, if the Cana’anites are neatly established as the forebears of Palestinian Arabs, then the Jewish experience in the ancient Holy Land, based on aggression and conquest in the first place, becomes a fleeting episode in history, and the Palestinians come full circle by justly (a “just peace” is one of their slogans), restoring possession of the land to its original legal owners. But then, the Cana’anites were neither Arab, nor certainly Muslims. However, like President Sadat who could strike the balance between his Pharaonism and his Arabism and Islam [Israeli 1979: 39–48, Israeli 1985], or Saddam Hussein who claimed the ancient heritage of Mesopotamia’s Hammurabi as his own, but did not also desist from his Iraqi, Arab and Muslim identities, so have Palestinian nationalists learned to juggle their identities with dexterity. It is also significant that the Cana’anite antecedent is particularly popular among Palestinian Christians who, aware of the massive doses of Islam currently injected into Palestinian (and Arab for that matter) nationalism, would hark back to a non-Islamic past in which they can find solace against the pressures of revivalist Islam around them. At any rate, Palestinian nationalists, Arafat was foremost among them, have discovered that old is beautiful. And so, much like the Prophet of Islam in his time, who lent depth to the history of Islam by claiming an Abrahamic root to it, the Palestinians today assert that their ancestry was in fact Cana’anite, and that Jesus Christ was also Palestinian.

THE CONSTITUTION OF PALESTINIAN NATIONALISM

In modern times, secular Palestinian nationalism can be best conceived by looking into the Palestinian National Charter, adopted in 1964 and amended in 1968, and

⁵ Previously prominent names in the Palestinian national struggle, such as Abu Iyyad and Abu Jihad, or his latter day aides such as Abu Mazen and Abu Ala, or his opponents such as the Hamas leaders or Faruq Qaddumi, were seldom mentioned in the Palestinian hierarchy of heroes. Only more recent heroes who died dramatically, like Abu Ayyash (the Engineer), or did not otherwise pose an immediate threat to Arafat, such as ailing Ahmed Yassin (until his death), were mentioned. After Arafat, the Palestinian leadership split between the PLO and the Hamas, and the unifying figure of Arafat has receded into historical background.

never amended or rescinded again in spite of the pressures exerted by Israel and the US to that effect after Oslo. That Charter not only spells out the boundaries defining the Palestinians as a people and a nation with its inherent culture, ethos, ethnic affiliation and historical specificity, but also relative to other Arabs and Muslims. And above all, the Palestinians are called upon to crystallize their dreams and aspirations by means of a continuous armed struggle against a specific enemy – Zionism. In other words, the whole concept of a nascent Palestinian nationalism was made to hinge upon a dialectical interaction with its sworn enemy. This battle to the finish, as reflected in the Charter, does not allow for compromise or negotiation. It vows to destroy the enemy in order to replace it with a Palestinian order, thus attaining at one and the same time the normative fulfillment of the Palestinian dream and also the realization of the Israeli nightmare. The Palestinian Covenant indeed traces, step by step, the contours of Palestinian nationalism:

- a) Palestine is the homeland of the Palestinians, but at the same time Palestine is part of the greater Arab homeland, and the Palestinians are part of the larger Arab nation (Art. 1). This means that while the Palestinians express their attachment to the land of Palestine (*wataniyya*), and state their particularistic identity, they are also aware of their belonging to a larger ethnic whole (*qawmiyya*), in terms of ethno-cultural descent, historical heritage and linguistic affiliation.
- b) The Covenant states that the Palestinian identity is an innate, persistent characteristic that does not disappear, and it is transferred from father to son (Art. 4–5). In other words, the fact that the Palestinians have been dispersed as a result of the disasters that befell them, does not detract from their nationhood or their national character. Moreover, Palestinianhood is defined not only by the land (“those who lived in the land until 1947”), but also by ethnic descent (“anyone born to a Palestinian father after that, within Palestine and outside of it”) (Art. 7). Outside this ethnic definition, only Jews who were in Palestine “prior to the Zionist invasion”⁶, would be considered Palestinians, presumably a tolerated minority. So, apart from this exception, Palestinian nationalism equates nationhood-peoplehood with Arab ethnic descent.
- c) If the intrinsic Palestinian character is defined along ethnic, cultural and historical lines, the vehicle to carry them to the promised land is armed struggle waged against the external forces that attempt to thwart the realization of the Palestinian dream, chief among them are Imperialism and Zionism. (Art. 8–10). This means that the outer challenges that are to be addressed are part of the defining principle of Palestinian nationalism. The nation will be galvanized by, and during the struggle, against the forces which stymie its emergence.
- d) The outer circles of Palestinian nationalism are its Arab and Muslim identities (Art. 13–16). Palestinian nationalism not only declares itself to be part and

⁶ Arab literature marks the beginning of the Zionist invasion as the year of the Balfour Declaration in 1917.

parcel of Arab nationalism in general, but also alerts the Arabs that they all face the same enemies: Imperialism and Zionism, and therefore they should all be mobilized to push out the foreign threat. The Palestinians, however, being at the forefront of that battle, which is part of their identity, undertake to be the vanguard (Art. 15) of all Arabs in that undertaking. Islamic identity is invoked in the context of Palestine as the Holy Land, hence the urgency to restore it to Islamic hands in order to safeguard freedom of worship there (Art. 16). Palestinians also regard themselves as part of the Third World (“the forces of good, progress and peace”) that they also vowed to mobilize to their cause in the unified battle against Imperialism and Zionism (Art. 22–23).

- e) Peculiar to Palestinian nationalism, however, beyond the outer definitions of the threatening enemies who have to be monitored and thwarted, is the *sine qua non* assumption that the survival of Palestine and the Palestinians hinges upon the utter destruction of the Zionist entity, in all its manifestations: political, military, cultural, economic and social (Art 22–26). This means that, unlike other nationalisms which aspire to independence, and when applicable to throw the yoke of an occupier (not to eliminate him), here we see the very *raison d’être* of Palestinian nationalism inherent in the destruction of Zionism.

The Charter’s resistance to alteration and amendment, which was already described above, continued to stand firm. So, a resolution was passed at the PNC which appointed a committee to review those clauses and to “recommend a new wording that would make them commensurate with Oslo and the peace process”. Thereupon, Arafat informed Peres in an official letter that indeed the Charter had been amended in spite of the fact that it was not (at least not as yet). Despairing Peres and part of the unaware Israeli public swallowed the bait. Peres pursued his misleading course even as he knew that no amendments had been introduced, understood that Arafat was in no mood to introduce any, and probably regretted his falling and dragging Rabin with him, into the Chairman’s trap of lies and false promises. He hailed to the Israeli public that “move” that never was, as one of the “most momentous in the 20th century”, while his many supporters on the left and in academia boaster of that “unprecedented achievement”. The Israeli press was delirious praising Arafat and Peres, while little attention was paid to those who called the bluff. But the official Israeli acceptance of Arafat’s interpretation, which was backed by the avid, though wrong, American and European laudatory endorsements, although giving some respite to the Palestinians, was not to hold for so long, as lies are bound to be revealed in the daylight. For the questions that continued to ring in the skeptics’ ears were simple and obvious:

- a) It took the PNC 15 out of the 33 articles of the Charter to state in detail their vow to eliminate all manifestations of Zionism. Why did not the Gaza PNC state unequivocally that those articles were null and void?

- b) The Council did not decide to repeal or correct anything specific. It did not even resolve to revise any specific clause in the Charter. It left it to the committee it established to decide, at will (or at whim) what in the existing wording of the Charter contradicted Oslo. If, for example, the assumption of the Charter (Art. 20) that the Jews are not a nation and therefore did not deserve a state, was not deemed as contradicting Oslo, because the Palestinians made peace with Israel, not with the Jews, that clause would remain valid. Only 10 years later did the naïve Israelis discover how wrong they had been, as the Palestinians have been still negating any idea of a “Jewish state”, but then it was too late. Worse, the Palestinians could always claim that since the Charter does not mention Israel directly, there could be no inherent contradiction between it and Oslo. If that was their idea, they certainly outwitted the foolish Israeli negotiators and got away with it.
- c) The Council did not impose any deadline on the committee to end its work and to recommend a new formula, if any. So, while the Charter had become effective upon its adoption back in 1964, the promise of its amendment would continue to hang in suspense *sine diem*. A decade later, that was still the case.

As already narrated above, in the May 1996 elections in Israel, Peres lost his bid, as in his previous attempts, to obtain the premiership for the first time by election, and Netanyahu won. Then, the question of the abrogation or amendment of the Charter came up again, this time with the insistence of the new government that any demarche in that regard should be made explicit, clear and public, as a prerequisite to the continuation of the Oslo process. As a result, the protracted negotiations about Israel’s withdrawal from Hebron (euphemistically called “redeployment”), begun under the previous government, reintroduced the theme of the Charter, which had been supposedly already settled by Peres. And, lo and behold ! the Palestinians signed that agreement in January 1997, which committed them to complete the proceedings of the amendment. They admitted thereby the farce they had played out with Peres, under which the process had not been brought to fruition, in spite of their previous assurances to the contrary. Peres never admitted as much.

Right after the Hebron Agreement, Arafat was quoted in a press conference⁷ as questioning the need to revise and amend the Charter, arguing that Israel had no right to ask the Palestinians to rewrite their constitution, as long as it itself did not have one. This augured another series of procrastinations and maneuvers on the part of the Palestinians who were more apt to avoid the issue than to be concerned about Israel’s constitution. More importantly, it signaled Arafat’s implicit admission that the Charter had never been amended since 1968, apart from the clamors of its irrelevance. Another attempt was sponsored by President Clinton, whose administration had praised Arafat and Peres for the breakthrough they had “achieved” in the amendment that never was. Indeed, following the Wye Agreement of October 1998,

⁷ See the Israeli press of 29 and 30 January, 1997, notably *Haaretz*.

Arafat convened again in Gaza an assembly of “all popular organizations (including the PNC, but not a specific meeting thereof as required by Art. 33), and brought to the vote the approval of his letter to President Clinton that claimed that the Charter had been amended (when? by whom? where?), not the abrogation or amendment of specific articles thereof. Thus, once again, Arafat outmaneuvered both Clinton and Netanyahu, but the Charter remained constitutionally unaltered. The farce continued to unfold, this time officially sweeping in its wake both of the naïve western governments, but the tenacity of the cunning Palestinians prevailed, and as these words are being written (2011) their central document has been repeatedly reconfirmed and not once corrected as a result of Oslo. That document was and still remains the writ of their nationhood, dreams and aspirations, despite and also because of the fears it evokes in their Israeli neighbors and the extraordinary obtuseness of both the US and Israel in grasping its significance.

ISLAMIC NATIONALISM

Prima facie, nationalism and Islam amount to a contradiction in terms: one is secular, the other religious; one is founded on particularism, the other claims universalism; one asserts this-worldly aspirations, the other promises the hereafter. However, viewed closely, political Islam takes on some of the characteristics of nationalism: identity, attachment to the land, myths and symbols, self-definition in contrast to others, charismatic leaders, identifying enemies and vowing to eliminate them, commitment to struggle (armed or otherwise), etc. Islam has indeed closely related, since its inception at the times of the Prophet, politics to the faith, and therefore religion is not as antithetical to the state as it is in the West. Quite the contrary, the Muslim dogma provides the ideological underpinnings for the righteous Muslim state, and the latter provides protection to the creed and furthers its propagation.

In modern Islam we see not only the cases of Pakistan, whose founding principle was Islamic nationalism promoted by Ali Jinnah; and of Saudi Arabia which stands out as the paradigm of state-religion symbiosis, but we also witness many so called fundamentalist movements, thinkers, clergymen and even politicians who have embraced this course of action. Was it not Ali Bhutto (Benazir’s father), the consummately westernized and modern Muslim, who published in the 1970’s his famous article in *Foreign Affairs* upholding Islamic nationalism? Such great Islamic thinkers as Sayyid Qutb, Mawdudi, Khomeini and now Qaradhawi, have contributed considerably to viewing the modern state as compatible with Islam. Islamic mass movements in Egypt, Algeria, Lebanon, Jordan, and Palestine, cannot wait to apply their Islam on their entire socio-political environment and join the “successful” cases of Iran, Saudi Arabia, the Sudan, Taliban Afghanistan, and to a large extent also Turkey and Pakistan. When today these movements speak in terms of Islamic nationalism, or depict the perceived enemies of Islam as a “cancer in the heart of the

Islamic nation”⁸, they clearly hark back to the pristine Muhammadan Islam and its immediate aftermath, in which state and religion were so perfectly, and harmoniously, welded together; when friends and foes were defined precisely; and the conquering, victorious and expansive Islam, led by virtuous charismatic chiefs, seemed to loom as the prevailing trend of the future.

ISLAMIC ANTECEDENTS IN PALESTINIAN NATIONALISM

Palestinians too are caught up in that trend of fundamentalist Islam, though this is nothing new if one takes into consideration the antecedents of Palestinian nationalism where Islam had played a prominent role. In the 1920s, the Palestinian national movement was headed by a religious figure, the Great Mufti of Jerusalem, Haj Amin al-Husseini, who played up in religious terms his opposition to both the British and the Zionists. In the 1930s, Izz a-Din al-Qassam, a Syrian cleric who settled in Haifa, undertook extensive religious and political activities in northern Palestine that soon lent prominence to his leadership. He then founded a militant group, *al-kaff al-aswad* (the Black Hand) as an instrument of armed struggle against the British and the Jews in contended Palestine. He called openly for Jihad against both, until the British killed him in battle in Ya’bed (northern Samaria) in 1935.

During the Palestinian Revolt of 1936–1939, the Muslim Brethren based in Egypt established a number of lodges in Palestine that later grew into a full-fledged network. The Muslim Brethren in Egypt and Palestine developed a two-pronged line of activism, not unlike its al-Qassam antecedent: struggle against the British occupation and the perceived Zionist menace. The 1948–1949 war of the Arabs against fledgling Israel split the Palestinian Arab population into five different slices: a majority were established east of the Jordan or in the Jordan-dominated West Bank; another chunk in the Egypt-dominated Gaza Strip; a minority remained within the state of Israel and became known as the Arabs of Israel; an exodus headed towards refugee camps in the adjoining Arab countries; and displaced individuals headed to Western countries and labor-hungry Arab countries to seek education, jobs and good fortune. The takeover by Israel of the West Bank and Gaza during the 1967 War, brought the entire Palestinian population west of the Jordan under Israeli domination, where they were allowed leeway in their open activities as long as they operated within the confines of law and refrained from terrorism. On the other hand, the rapid modernization of Palestinian society, caused by the intrusion of Israel into the traditional social structures and their dismantlement, generated the outrage of Muslim fundamentalists, who came to sense that Israel was undermining their traditional societal fiber through the introduction of “westoxicated” values. This resentment sowed the seeds

⁸ e.g. Sheikh Abu Sanina, the preacher of the Aqsa Mosque, in his sermon of Ramadan, Friday, 31 January, 1997. Reported in *Haaretz*, 3 February, 1997.

of an open conflict between the fundamentalists and the Israelis, under the mantle of “resistance to occupation”, in the grounds of the anti-Israeli sentiment that had been already cultivated by Palestinian nationalists all along. Hence the eruption of the Hamas⁹ during the Intifada (1987–1993) which has galvanized into a zealous (that is what Hamas means) militant group, encompassing most of the existing Muslim associations, and dedicated to raise the banner of Jihad against what they perceived as the Israeli occupier.

It is noteworthy, however, that Muslim radicals have not monopolized Islamic thinking and sloganeering. Mainstream Palestinian nationalism too, like most local forms of Arab nationalism, has made use of Islamic symbols and vocabulary to characterize enemies, to imply modes of action against them, and to define the nature of the Palestinian community and its struggle, thus linking key religious and secular concepts [see: Haim 1962; Johnson 1982; Lewis 1976]. Terms like Jihad, *shahid*, *fidayeen*, the reference of religious sites in the Palestinian Charter as we have seen above, and the centrality of Jerusalem with its attending Islamic history and myth, all attest to the Islamic discourse that is ingrained in Palestinian nationalism. Add to that the symbolism of the usage of Islamic terms in Arafat *nom de guerre* (Abu Ammar) and the names of his PLA brigades: al-Aqsa, Hittin, Ein Jalut, Qadisiyya, all the names of great Islamic battles (not necessarily Arab), and you have a wide sampling of the depth and the extent of the Islamic hold over Palestinian nationalism. In the 1980s, the Islamic bloc emerged as a powerful constituency in the West Bank and Gaza, boosted by three Islamic colleges in Jerusalem, Hebron and Gaza and by professional associations of doctors, engineers, lawyers, students and others, which soon showed their loyalty to their Hamas umbrella. But it was not until the Intifada in late 1987 that the Muslim radicals united their ranks and, under the new heading of the Hamas, began to pose a serious challenge to the established leadership of the PLO, as a representative institution vying, on equal footing with the Fatah, for the souls and the political allegiance of the Palestinian masses. The signal was sent, loud and clear, that as against the national aspirations of the Palestinians and their ethnic-national-cultural claims, personified in and by the PLO, and led by Arafat, they posited the viable Muslim alternative, which engraved its Muslim mark on Palestinian identity, and was led by another popular and charismatic figure- Ahmed Yassin. Hamas was out to conquer Palestinian nationalism, and the Covenant of the Hamas, promulgated at the initial stages of the Intifada (February, 1988) incorporated its programme. Unlike the first Palestinian elections that it boycotted, the Hamas participated in those of 2006 and won them, and in 2007 felt confident enough to oust the PLO rule in Gaza and replace it with its own government.

⁹ Hamas is the acronym of *Harakat Muqawama Islamiyya* (The Islamic Resistance Movement), which became the umbrella organization created overnight at the outbreak of the Intifada in 1987, to bring together the local Muslim associations of years past.

THE HAMAS COVENANT

The 36-article Charter of the Hamas bears some interesting parallels to the PLO Charter discussed above, such as the very appellation of *mithaq* (Covenant), by which it posited itself as a challenge and an alternative to that of its rivals. Both documents also share an appeal to the same constituency. But it is the differences between them, some worded bluntly and uncompromisingly, others nuanced enough to sooth the ears of the Palestinian audiences, which contain the crux of the challenge:

- a) While the PLO document had been deliberated, debated, argued, amended and repeatedly voted upon before it was adopted by the PNC, the Hamas Charter was concocted by some of its leaders, and only then promulgated to the public. Consequently, while the PLO Charter has been considered a man-made political document, albeit of constitutional import, which also provides for the instrument of its own amendment (Art. 33), the Hamas document creates the impression of reflecting universal, immutable and eternal truths that are not liable to change.
- b) The PLO Charter uses political language, though sometimes bombastic and flowery, but the Hamas Charter is wholly anchored in Islamic parlance. Not only are Islamic symbols and vocabulary often invoked, but most articles are backed by quotations from the Qur'an and Hadith, the two sources of Islamic law that are acknowledged by Muslim radicals. The juxtaposition of the Charter's clauses with these holy texts inextricably lends to the former the sanctity of the latter.
- c) The PLO avoids direct attacks on Jews as such and purports to struggle against Zionism only, but the Hamas unabashedly also launches anti-Semitic broadsides against the Jews, often citing such notorious texts as the *Protocols of the Elders of Zion*. To them, Jihad is justified not only against Zionists who have "usurped Palestine", but also against the worldwide evil of Jews that threatens to undermine all societies, including the Islamic, in order to take them over and dominate them.
- d) While also acknowledging the Palestinian particularistic aspirations to liberate Palestine (that is, after all, the top of the Palestinian agenda), Hamas regard this task as a holy and religious mission, incumbent over all Muslims of the world. Thus, while the PLO Covenant appeals to the Arab world for support, the Hamas appeal is directed to the Islamic world at large. The very fact that Hamas declares its affiliation to the supranational movement of the Muslim Brothers, and its dedication to the reconstitution of the long defunct Islamic Caliphate (since the fall of the Ottoman Empire in 1923), indeed makes their programme universal (Art. 1–7 of the Covenant).
- e) The PLO platform had committed itself totally to a political and military *modus operandi* in order to attain nationhood, and that required the definition of the contours of Palestinian nationalism as hinging on the undoing of the Zionist

enemy. The Hamas Charter also outlines a socio-cultural and religio-moral code of conduct and action, calculated to raise Islamic consciousness and to conquer Islamic societies from within before they turn to the elimination of their enemies.

- f) At a time when the PLO leadership has been attempting to adopt diplomatic means and political measures, in addition to armed struggle, to attain its goals while also securing international recognition, Hamas seems totally oblivious to the international community. For them, since the entire land of Palestine is *waqf* (a Muslim holy endowment), accorded by Allah to all generations to come of Muslims, no one is allowed to negotiate it away. Hence, all the international talks, negotiations and peace conferences are deemed a “loss of time”, and any intercession by foreign powers in the Arab–Israeli dispute as “imperialism’s collusion with Zionism” (art. 11–13).
- g) While the PLO has envisaged institutions and civil processes to implement its platform, the Hamas, leaning entirely on the Shari’ah Law, states its purpose to establish an Islamic state in the entire expanse of Palestine, with presumably state institutions as designed by the Holy Law of Islam. Palestinian nationalism, from this point of view, is also incorporated into the Shari’ah as part of the universal Islamic *Umma*.

THE POST-OSLO POLITICAL PRAXIS

As long as Israel did not commit the foolishness of recognizing the PLO as the “sole representative of the Palestinians”, and handing to it the rule of the West Bank and Gaza before any elections were held, the question of the legitimacy of the Palestinian government she dealt with was left open to whatever confirmation the Palestinian people wished to lend to it. But at the same time, the Oslo Accords, signed between Israel and the leadership of the PLO, pushed the rivalry between nationalists and Islamists from the doctrinal to the real sphere of political controversy between the parties. If during the first months of negotiations leading to the Accords, there was a similitude of commonality of fate between the two factions, which sought primarily to end Israeli “occupation” – the signature of those agreements signaled the break which has kept them apart ever since, inasmuch as they held different views as to the interpretation and implementation of those accords. Indeed, it became clear to all that the Hamas programme posed no less a threat to the PLO than the latter to the Islamists or to Israel. And the rift between them has grown so wide, that the factions have failed so far (2011) to overbridge it.

For example, the main commitment of the PLO at Oslo has been to refrain from violence, while Muslim militants continued to hold the unbending view that only Jihad to liberate Palestine could see the victory of Allah prevail. At times, Arafat at the head of the PLO also crossed back that border and indulged in violence, when his Aqsa

Brigades engaged in terrorism; conversely, for years on end, the Hamas implemented a cease-fire with Israel (*hudna*) when it could not sustain a long violent duel with Israel after it took over the rule in Gaza in 2007; but in principle, they remained each obligated one to peaceful negotiations and the other to continuous Jihad. Conforming to their platform, the Hamas continued to vow that the Land, the entire Land of Palestine, must be cleansed from the viciousness and impurity of the “occupiers”, and that only under Islamic rule is there any other possibility that other faiths can coexist. When Islam does not prevail, they claimed in their platform, that meant that bigotry, hatred, controversy, corruption, oppression, war and bloodshed prevailed, as is evidenced by the existence of Israel. How, then, could they accept reconciliation with the Zionist entity? They despise Israel not only as an “occupier” but also due to its Jewish constitution, the scum of the earth that concocts plots to take over the world and to corrupt societies from within. Hence the Muslim obligation, following the model of the Prophet, to fight and kill them wherever they can be found, or at least ban them from Islamic land if they refuse to submit to its beneficial hegemony.

Domestically, the Hamas strives to establish an Islamic entity in Palestine, as part of the Islamic universe that must be ruled by the Caliph. In such a state, Allah is the ultimate goal, the Qur’an its constitution, Jihad its means, death for the cause of Allah its sublimest aspiration (Art. 5 of the Charter). This means a total rejection of civil laws, elections and national attainment as professed by the PLO. What is more, the Hamas continues to embrace the road of violence with regard to Israel, disregarding any compromise, negotiations, or settlement with it, and also seeks to turn Jihad from a collective duty (*fard kifaya*), which is no longer binding on every individual once the Muslim community as a whole has discharged it, into a personal duty (*fard ‘ayn*). In this way, the authority of the established Palestinian entity can be circumvented, and the Palestinians made individually responsible to extinguish the fire raging in the House of Islam with their own buckets of water (see preface to the Covenant). When the Hamas forcibly took over the Gaza Strip, after having expelled the PLO forces, they indeed carried out their program to the letter, thus bifurcating the PA into two separate, and rival, entities, none of which representing the entire Palestinian people, contrary to the basic undertaking it shouldered when the Oslo Accords were signed and implemented.

The split is not only organizational but also ideological, political, personal and practical. Although sometimes one gets the impression that the policies of the splinter groups do not differ much, at least on record the PA remains committed (for now, 2011) to Oslo, to negotiations (though under certain conditions). Their ferocity to one another, and the exclusion of each other, have not allowed so far any reconciliation between the parties to take place, and it seems that in the long run personal divisions have also sunk in to become part of the rivalry, which due to its territorial and religious characteristics, has been growing into an unbridgeable enmity. Neither the PA nor the Hamas have been able to prove to the other party that their formula of salvation has been more operative or efficient than the other’s, thus leading to the

latter at least the aura of blood and sweat, in contrast to the soft image of the PLO, which is accused of submitting to the Americans and the Israelis despite its failure to get anywhere. The turmoil in the Arab world since the onset of 2011 certainly pumps propitious winds into the sails of the Hamas, inasmuch as it showed that US allies, like Mubarak or Ben Ali, Abdallah Saleh and sheikh Khalifa were let down, while it was an independent revolutionary spirit like Qaddafi who was seen as holding on to power.

Following Arafat's death and the lack of decisiveness of Abu Mazen's leadership, the Hamas continued to irritate the PA, especially as it showed its capacity to manage the affairs of the Gaza strip despite all the adversities, and to emerge from its war with Israel (2008–2009) with an increased world sympathy and an aura of "heroic resistance", at a time when a PA seemed capitulating to Israel. For a while, the Hamas even thought of pressing their bombardments against Israel to force her to retaliate, thereby to wreck the entire idea of Oslo, and force reunification of the entire Palestinian people under its intrepid leadership; but as the civilian cost of this folly kept mounting on both sides of the border, the Hamas leadership had to yield temporarily to its responsibilities and agree to a long term cease-fire (*hudna*), which calms the situation down without yielding one iota strategically, ideologically or in Shari'ah terms, to the "Zionist entity". So much so that in his lifetime, Arafat had tried to overtake Hamas on the right, by resuming the rhetoric of Jihad, brandishing Islamic vocabulary ("a million martyrs to reconquer Jerusalem") and hailing the Hamas heroes, like Ahmed Yassin, as his own. The Islamists, in turn, claimed in Arafat's times, and continue to claim today, that the PA represented only half of that one third of the Palestinian people in the territories (less than two million out of the 3.5 in the West and Gaza, where only one third of the entire Palestinian people dwells), while most others emit from the outside voices closer to the Islamists' tough stand. And since none of the PA institutions have been reelected after the expiration of the terms of the President and the Parliament, they have all lost legitimacy in any case.

Islamists sometimes speak the same language as nationalists, using the same words with different meanings. Take, for example, this passage from the Hamas Charter:

Hamas is a humane movement, bent on human rights, and is committed to the tolerance inherent in Islam, as regards attitudes to other religions. It is only hostile to those hostile to it or stand on its way in order to disturb its moves or to frustrate its efforts...

Under the shadow of Islam, it is possible for the three religions: Islam, Christianity and Judaism, to coexist in safety and security. Safety and security can only prevail under the shadow of Islam... The members of other religions must desist from struggling against Islam over sovereignty in this region. For if they were to gain the upper hand, then fighting, torture, and uprooting would follow (Art. 31) of the Charter.

The words of freedom and tolerance are there, But what do they mean? Are freedom and tolerance valid when attached to the provision of "under the shadow

of Islam?”. Similarly, Palestinian PLO leaders have been committed to promoting democracy, freedom, civil rights and the like, but as soon as the leader is attacked or his term is over, the security forces move in and arrest the critic, and no measure is taken to precipitate elections in order to renew the mandate of the ruler. Any political entity can have a beautiful “constitution”, like the one embraced by Saddam Hussein in his time, couched in lofty terms and encapsulating the most humane and generous terms. But is it applied in practice? Are there independent courts to protect and defend it? Will those who will be the most responsive to the desires of the Palestinian people be also able to decide the struggle between nationalism and Islamism? In Iran, for example, people elected the Islamic regime over the authoritarian one provided by the Shah and his underlings. But who can be sure that the majority of the people there do not regret their choice now and would rather reverse it if they could? In practically all Islamic countries, the choice will always be between some sort of authoritarianism and Islam.

In the competition between Islam and any other sorts of authoritarianism, Islam might emerge victorious, if only it can be conceived as enjoying the same mantle of legitimacy that the Prophet had had, unlike the other rules which can claim none. For even if the rulers pretend to have been elected to their posts, one knows exactly what those elections meant, as there was no much competition, and stringent controls were exercised, to assure the desired results by the rulers in place. So, they either perpetuate their rule by force, like Qaddafi and Assad did for a long while, or enlist the support of their army, like Mubarak and Abdallah Saleh, or via hereditary republican systems like Asad, Mubarak, Qaddafi, or through the mechanism of hereditary monarchy, like in Saudi Arabia, the Emirates, Morocco and Jordan. To acquire some legitimacy, these autocrats take on Islamic titles: “The Curator of the Two Holy Shrines” for the Saudi King, “The Heir of the Prophet and the Guardian of the Aqsa Mosque” for the Hashemite monarch, and another – “Descendent of the Prophet and Chairman of the Jerusalem Committee of the Islamic Conference”, for the Moroccan King. Even godless Saddam Hussein announced during the Gulf War (1991) that he was adding the Islamic slogan *Allah Akbar* (Allah is the Greatest!) to his national flag, his move being calculated to mobilize other Arab and Muslim countries against the American “New Crusaders” with whom he was at war.

Lack of legitimacy means that there is always someone waiting in the aisles as an alternative to the existing order. And much like the Muslim Brothers in Egypt, Jordan, and their likes in Algeria, and the Hamas among the Palestinians, these oppositions seek their legitimacy and popularity in Islam and its teachings. They may use the discourse of democracy, human rights, basic freedoms and the like, but once they come to power, like in Iran, the Sudan and Afghanistan of the Taliban, experience shows that they take to authoritarianism again. The current turmoil in the Arab world may yet yield new revelations in this regard after the dust settles. When Arafat headed the PA, together with his harsh persecution of the Hamas, geared to quell their challenge to his authority, he has coupled this attitude with his embrac-

ing many Hamas themes, so as not to be out-Muslimized by them. We have seen that when he began entering Palestinian cities in 1996 under the second Oslo Accord, he was visibly elated when he could be seen as not only entering Palestinian territory, but also as taking control of Islamic lands. His entire show with the Greek Orthodox Patriarch of Jerusalem at the gates of Bethlehem was calculated to underline the historical antecedent of 'Umar in the handover of rule from Christians to Muslims.

Immediately following the signing of the Oslo Accords, and two full years prior to the rendition of the territories to his control, Arafat had begun making abundant use of his Islamic imageries to gain legitimacy among Palestinians so as to thwart the vicious attacks against him by the Hamas and other Islamists, that he had sold out to Israel and the Americans. Shortly after Oslo, he visited South Africa, and there he played up the Hudaibiyya theme in connection with the Accords, in order to justify them, and to summon his fellow Muslims of Johannesburg to join in the battle of "liberating Jerusalem". In his subsequent Hudaibiyya, Jerusalem and Jihad speeches, to delirious Palestinians and other Muslims, he trumpeted the virtue of sacrifice in order to reconstitute the holy places of Islam¹⁰, knowing very well the chords that he had to play on in order to instigate massive and passionate responses within his constituencies. In so doing, he not only could rally around him his supporters from the traditional PLO, who regarded him as the symbol of their nationalism, but he could also cater to his Islamic opposition which embraced precisely these very same Islamic symbols, phraseology and terminology.

The yet unsettled struggle between Palestinian nationalism and Islamism among the Palestinians has many ramifications: domestic and external. While the way the Palestinians will choose to shape their society will certainly emerge as the PA acquires more power and more experience in handling its own affairs, it will remain closely intertwined with the modalities arising from the fate of the peace process with Israel. If the process can be brought to fruition and the PA becomes a full-fledged state, then its legitimacy, supported by renewed elections, will become ironclad and the Islamic challenge might recede. If, however, the process should explode at some point, then the rising Islamic alternative, which has the negation of that process at its core, might be in a position of triumphantly taking over with the vindictive grin of "I told you !". The peace process is crucial because it consists of on and off negotiations in which the parties have to overcome the gap between what they regard as negotiable in a give-and-take horse-trading, and what they might deem as non-negotiable under any circumstances. Negotiable issues usually regard assets and other measurable quantities, the renunciation of which would mean material, real estate or financial loss. When a party to the negotiations senses that the sustained loss can be compensated by other assets or, that by giving up some, one gets some other, one may be inclined to negotiate and come to some compromise., because the disagreement

¹⁰ See e.g. Arafat's speech at Gaza's al-Azhar University, on the occasion of the *Mi'raj* (Ascension to Heaven) Day, broadcast live on PA TV on January 1, 1995.

is quantifiable, measurable and therefore compromisable. When, on the other hand, the parties advance religious- or value-related arguments or claims, the debate goes one notch up. The value attached by one party to one element or another, like a holy place, a vital interest of *sine qua non* character, or a matter of national prestige and standing, is immeasurable and subjectively evaluated. It might be hugely significant for one party but totally insignificant to the other, or of equal value to both parties, or simply because it is so important for one, as to make the other covet it too. The contested value may be moral, cultural, or religious, and as such it becomes utterly un-negotiable, the moment we enter the domain of qualitative debate.

In any process of conflict management, and more so of conflict resolution, the quantitative issues would tend to be resolved and agreed upon first, while the more qualitative ones would tend to be relegated to the end of the process. In order to reach the elusive “agreements” of Oslo I and II, Israel had to pay in quantitative terms : partial withdrawals from territories and partial independence to the Palestinians, euphemistically termed “redeployment”, “self-rule”, “autonomy” and “state-building”. Israel, having spent many of her trump cards on this quantitative stage of settlement, has very few arrows left in her quiver for the much more qualitative debates that will follow regarding Jerusalem, Palestinian statehood, borders, settlements, refugees, and any number of intractable issues. In other words, Israel has already disbursed many of its concessions before the negotiations even started, thus making any further retreats increasingly difficult. The built-in contradiction between the Palestinian resolution to get to their key qualitative issues, and the equally rigid determination of the Israelis to foil those attempts, has stonewalled the process ever since what was negotiable and resolvable was completed. Thus, while the PA leadership can survive only as long as it can deliver to its public Israeli concessions, it will become a lame duck when Israel draws the line and is able to retreat no further. That is not only the reason for the impasse in the negotiations, but if an effort is made to force the issues on which both sides cannot yield, the explosion and breakdown of the process will prove inevitable, and will vindicate those who had held no hopes for it *a-priori*.

Then, the turn of the Hamas alternative will come. Because then, not only would the Islamists feel free to pursue terrorism, with popular support, but also they will have proven with vengeance that the nationalism of the PLO had failed. What is more, the Hamas will certainly raise the stakes of the bargain: they will claim that the PLO’s will to negotiate and compromise was the source of the deadlock. Better then to return to the infallible and history-tested tenets of Islam, Hamas-style, which preclude any negotiation, any compromise, over the *waqf* land that had been accorded by Allah to all generations of Muslims. Better and more worthy to die as martyrs in Jihad while resisting the “occupiers”, they have often said, than submit to the humiliation of lending their approval to the usurpation of Muslim lands by the despicable enemies of Allah and Islam. In turn, with the lead of the renewed struggle against Israel having been taken over by the Islamists who do not feel constrained by Oslo, Islam will feel strengthened at home too. The programme of the Hamas

is one package: an Islamic society, governed by Shari'ah law, will also be worthy of claiming the redemption of the Holy Land from the hand of its usurpers. Such purified society can only go back to the qualitative version of the conflict: an all or nothing choice, a battle to the finish. This trend, which has been strengthening since the outbreak of the Aqsa Intifada, had even pushed the PLO to subscribe to it, as PLO forces like the Tanzim, the Aqsa Brigades and Force 17 adopted the same battle theory of Islamikaze¹¹ martyrdom as the Hamas, with young Palestinian affiliates self-immolating themselves in the process of massacring enemy civilians. Abu Mazen, the successor of Arafat to the leadership of the PLO, has realized the vanity of this tactic and elected to strengthen his forces with American aid, weapons and training, in order to prepare better and more rationally for a future struggle, or to leave behind him a better-positioned PA after he retires.

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¹¹ Islamikaze, a combination of Islam and Kamikaze, has been suggested by this author [Israeli 2003], to correct the misnomer of "suicide bombers", which is shunned by the Muslim martyrs themselves due to the prohibition of suicide in Islam.