



Noref Report

US Hamas policy blocks Middle East peace

Henry Siegman

Introduction

Failed bilateral talks over these past 16 years have shown that a Middle East peace accord can never be reached by the parties themselves. Israeli governments believe they can defy international condemnation of their illegal colonial project in the West Bank because they can count on the US to oppose international sanctions.

Bilateral talks that are not framed by US-formulated parameters (based on Security Council resolutions, the Oslo accords, the Arab Peace Initiative, the “road map” and other previous Israeli-Palestinian agreements) cannot succeed.

Israel’s government believes that the US Congress will not permit an American president to issue such parameters and demand their acceptance. What hope there is for the bilateral talks that resume in Washington DC on September 2 depends entirely on President Obama proving that belief to be wrong, and on whether the “bridging proposals” he has promised, should the talks reach an impasse, are a euphemism for the submission of American parameters. Such a US initiative must offer Israel iron-clad assurances for its security within its pre-1967 borders, but at the

same time must make it clear these assurances are not available if Israel insists on denying Palestinians a viable and sovereign state in the West Bank and Gaza.

This paper focuses on the other major obstacle to a permanent status agreement: the absence of an effective Palestinian interlocutor. Addressing Hamas’ legitimate grievances – and as noted in a recent CENTCOM report, Hamas has legitimate grievances – could lead to its return to a Palestinian coalition government that would provide Israel with a credible peace partner. If that outreach fails because of Hamas’ rejectionism, the organization’s ability to prevent a reasonable accord negotiated by other Palestinian political parties will have been significantly impeded.

If the Obama administration will not lead an international initiative to define the parameters of an Israeli-Palestinian agreement and actively promote Palestinian political reconciliation, Europe must do so, and hope America will follow. Unfortunately, there is no silver bullet that can guarantee the goal of “two states living side by side in peace and security.” But President Obama’s present course absolutely precludes it.

Henry Siegman is president of the US/Middle East Project (USMEP), an independent policy institute. He is also a research professor at the Sir Joseph Hotung Middle East Programme of the School of Oriental and African Studies, University of London. Mr. Siegman has published extensively on the Middle East peace process and has been consulted by governments, international agencies, and non-governmental organizations. Major studies directed by Mr. Siegman for the Council on Foreign Relations include *Harnessing trade for development and growth in the Middle East* (2002), and *Strengthening Palestinian public institutions* (1999), conducted on behalf of the European Commission and the government of Norway. In 2002, he directed a study commissioned by the US Department of State and the US National Intelligence Council on the implications of “viability” for Palestinian statehood.

Road to nowhere

Peace talks at an impasse

The Obama administration has reversed the trajectory of previous administrations' engagement with the Middle East peace process. Presidents Bill Clinton and George W. Bush avoided dealing with the issue in the early stages of their presidency. President Clinton pursued a peace agreement far more seriously than did President Bush, but not until the closing days of his second term. By contrast, President Obama addressed the issue aggressively virtually the day after he took his oath of office. He appointed Senator Mitchell his personal Middle East peace envoy, delivered a historic speech to the Arab and Muslim world in Cairo, and presented Netanyahu's government the toughest demand for a freeze on all further Israeli settlement enlargement in the West Bank and in East Jerusalem ever made by any US administration – and all within the first year of the first term of his presidency.

But it has been all downhill since. The settlement freeze Prime Minister Netanyahu agreed to turned out to be a sham, the proximity talks a monumental waste of time. President Obama's most recent encounter with Prime Minister Benjamin Netanyahu at the White House on July 6, at which he felt constrained to express admiration for the seriousness of the commitment to a two-state solution of a man who has shown nothing but disdain for the idea, has triggered despair throughout the region deeper than was experienced during the disengaged Bush administration.

Bilateral talks cannot succeed

The US administration has announced the launching of direct talks between Israel and the Palestinian Authority (PA) and that the parties have agreed to place a one-year limit on these talks. But nothing much beyond spin to sustain the illusion of continued American "engagement" can be expected from this administration until at least after the November congressional elections, if then. That interregnum provides time for a reconsideration of this administration's Middle East peace strategies that have been undone with humiliating ease by Netanyahu at every turn.

Such a reconsideration must begin with a rejection of the notion that a Middle East peace accord can ever be reached by the parties themselves, with the US role limited to "facilitation." Failed bilateral talks over these past 16 years have shown that left to their own devices, negotiations between Israeli governments – that believe resorting to overwhelming military power is the solution to every political and security challenge – and a powerless Palestinian adversary can only result in the enlargement and completion of Israel's colonial project in the West Bank, notwithstanding American "facilitation," or "bridging proposals," as this administration prefers to call it. Bilateral talks that are not framed by US-formulated parameters (based on Security Council resolutions, the Oslo accords, the Arab Peace Initiative, the "road map" and other previous Israeli-Palestinian agreements) cannot succeed.

A two-state solution will remain beyond everyone's reach because even the most hardline Israeli governments are convinced that the US Congress will not permit an American president to issue such parameters and demand their acceptance by Israel. Israeli governments believe they can defy international condemnations of their colonial project in the West Bank because they can count on the US to oppose international measures that would sanction their illegal behaviour.

If it is to succeed, a US effort to rescue the two-state option must be prepared to offer Israel iron-clad assurances for its security within its pre-1967 borders, but at the same time make it clear that such assurances are not available if Israel insists on denying Palestinians a viable and sovereign state in the West Bank and Gaza.

Credible Palestinian partner lacking

Which brings us to the other major obstacle to a permanent status agreement – the absence of an effective Palestinian interlocutor, due to the bitter internecine divisions between Fatah and Hamas, divisions that have been fostered and deepened by US and European support for Israel's determination to exclude Hamas from Palestinian political life and

to bring about its demise. It should be clear by now that this policy has only strengthened Hamas, and that it has retained the ability to torpedo any Israeli-Palestinian peace agreement it is not party to.

This view, shared by virtually every Middle Eastern political and security expert, was expressed concisely as the conclusion of a recent essay on the subject in *Foreign Affairs*: “Hamas is here to stay. Refusing to deal with it will only make the situation worse: Palestinian moderates will become weaker, and Hamas will grow stronger. If the Obama administration is to move its plans for peace forward, the challenge of Hamas has to be met first.”¹

As argued in this paper, a more balanced approach to Hamas, addressing legitimate grievances, could lead to its return to a Palestinian coalition government that would provide Israel with a credible peace partner. If that outreach fails because of Hamas’ rejectionism, its ability to prevent a reasonable accord negotiated by other Palestinian political parties will have been seriously undermined.

The misreading of Hamas

Hamas’ democratic mandate

Mahmoud Abbas’s rule does not extend much beyond Ramallah. Although Fatah was unopposed by Hamas (or by any other organized political party) in the local West Bank elections of July 17, the party is so dysfunctional and unpopular that its candidates were in danger of losing to local unaffiliated candidates, causing Abbas to call off the elections at the last moment. By contrast, Hamas is not only the effective ruler of Gaza, but the only political party that received a democratic mandate for its rule from the Palestinian electorate in the 2006 election that rejected Fatah.

The Oslo accords declared Gaza to be an inseparable part of Palestine, and obliged Israel to provide an unobstructed territorial connection linking Gaza to the West Bank. That provision was reinforced by a

formal Israeli-Palestinian agreement (the Agreement on Movement and Access) in 2005 for the free movement of people and goods between these two areas, brokered by James Wolfensohn, then secretary of state Condoleezza Rice’s special envoy for Gaza disengagement, an obligation Israel violated even before the ink on the document dried.²

Hamas was denied its electoral mandate and excluded from the West Bank because Fatah conspired with Israel’s government and the Bush administration to carry out a putsch by Mohammed Dahlan’s militia forces in Gaza to overthrow Hamas. The attempted putsch was pre-empted by Hamas in a bloody manner.³ But the way Dahlan’s forces had previously dealt with Hamas’ members that it had imprisoned (or the way Abbas’ Fatah has dealt with them in the West Bank since) should not leave anyone with false illusions about the treatment that awaited Hamas had Dahlan’s putsch succeeded.

Hamas’ obsolete charter

But can Hamas be engaged by Israel, or by the US, while it adheres to a charter that is racist and anti-Semitic, and explicitly commits the organization to the violent expulsion of Jews within Israel’s internationally recognized pre-1967 borders?

While the government of Israel does not have a charter promising the expulsion of Palestinians from their homes and the confiscation of their land, it has been doing exactly that – regularly and systematically. These confiscations and expulsions began even before Hamas existed, yet no one in the West demanded Israel be quarantined, or even that it be denied continued massive American financial and military assistance.

1 Daniel Byman, “How to Handle Hamas”, *Foreign Affairs*, vol 85, no. 5, September/October 2010, <http://www.foreignaffairs.com/articles/66541/daniel-byman/how-to-handle-hamas>, accessed 31 August 2010.

2 Shahr Smooha, interview with James Wolfensohn, “All the dreams we had are now gone”, *Ha’aretz*, 19 July 2007, <http://www.haaretz.com/magazine/friday-supplement/all-the-dreams-we-had-are-now-gone-1.225828>, accessed 21 August 2010.

3 David Rose, “The Gaza Bombshell”, *Vanity Fair*, April 2008, <http://www.vanityfair.com/politics/features/2008/04/gaza200804>, accessed 21 August 2010.

More to the point, Hamas has made it abundantly clear that its charter – like the PLO’s charter which Arafat famously dismissed in 1989 as “*caduque*” (obsolete, expired) well before it was formally annulled – no longer represents Hamas’ ideology. Its various proposals for a long-term *hudna* (ceasefire) with Israel, if it were to agree to a Palestinian state within the pre-1967 borders, clearly contradict its charter.

A more direct repudiation of the charter’s anti-Jewish and anti-Semitic diatribe came from Khaled Meshal, the head of Hamas’ political bureau, in an interview conducted by the Jordanian Arabic-language newspaper *Al-Sabeel* in July (translated into English by the Afro-Middle East Centre in South Africa).⁴

Meshal was asked whether Hamas’ resistance was directed “against Zionists as Jews or as occupiers.” Meshal replied, “resistance and military confrontation with the Israelis was caused by occupation, aggression, and crimes committed against the Palestinian people, not because of differences in religion or belief.” He said that although “religion is a cornerstone to our lives ... we do not make of religion a force for engendering hatred, nor a cause or a pretext for harming or assaulting others, or grabbing what is not ours, or encroaching on the rights of others” – referring, of course, to the Israeli settlers’ invocation of the Bible to justify the theft of Palestinian land in the West Bank.

Contrast this to the declarations of Rabbi Ovadia Yosef, a former Chief Rabbi of Israel and the leader of the most important Orthodox political party in Israel, during a recent Sabbath sermon: “Abu Mazen and all these evil people should perish from the world. God should strike them with a plague, them and these Palestinians.” In a previous sermon in 2001, he told his followers: “It is forbidden to be merciful to [the Arabs]. You must send missiles to them and annihilate them. They are evil and damnable.”

Not a single member of Israel’s cabinet condemned Rabbi Ovadia Yosef for these pronouncements.

4 Afro-Middle East Centre, “Hamas’ Meshal lays out new policy direction”, 30 August 2010, http://amec.org.za/index.php?option=com_content&view=article&id=181:hamas-meshal-lays-out-new-policy-direction&catid=62:palestine-israel&Itemid=75, accessed 30 August 2010.

Recognising Israel

At a press conference in April 2008, Meshal stated that within the context of a Palestinian coalition government of which it was a part, Hamas would authorize Abbas as president of the Palestinian Authority to conduct peace negotiations with Israel. If an accord were reached, he said, Hamas would agree to have it submitted to a Palestinian referendum and, if approved, would abide by the outcome even if Hamas itself were opposed to the accord.⁵ (This arrangement was also part of the agreement reached in Mecca for a Hamas-Fatah unity government that fell apart.)

Shortly after the press conference I told Usama Hamdan, a leading member of Hamas’ political bureau, that a Palestinian government cannot sign a peace agreement with Israel and still maintain that it does not recognize it. Hamdan agreed, and told me that Meshal agreed as well. He noted that since state-to-state recognition is a governmental responsibility, not a function of individual political parties, Hamas’ refusal to recognize Israel does not prevent a government of which Hamas is a part from granting that recognition. He noted that Israeli governments – including the current one, whose prime minister claims to want a two-state solution – have included political parties that oppose Palestinian statehood, and no one has suggested this disqualifies these governments as partners for peace negotiations, or made them candidates for sanctions of the kind imposed on Hamas.

Israeli contradictions

Israel’s government undoubtedly rejects that distinction between political parties and governments as sophistry, and considers those who advance it as peddling pro-Hamas propaganda. But it is a distinction that Netanyahu himself must invoke to explain the contradiction between his declared acceptance of a two-state solution and the formal opposition to a Palestinian state of his own Likud Party.

5 Barak Ravid, “Meshal offers 10-year truce for Palestinian state on ‘67 borders”, *Ha’aretz*, <http://www.haaretz.com/news/meshal-offers-10-year-truce-for-palestinian-state-on-67-borders-1.244339>, accessed 21 August 2010.

Indeed, not long after Netanyahu made that two-state declaration, most of his cabinet ministers formed a parliamentary caucus in Israel's Knesset, called the Land of Israel Caucus, whose goal it is to defeat their own government's effort to allow a Palestinian state in any part of Palestine in the unlikely event it were to try to do so. (It is not difficult to imagine how Netanyahu would have reacted to a "moderate" Palestinian government made up of parties dedicated to the denial of Israeli statehood.)

More recently, in a TV interview with Charlie Rose, Khaled Meshal stated that Hamas will end its resistance activities when Israel ends its occupation and accepts a Palestinian state within the pre-1967 border. This reverses Hamas' previous commitment to a struggle to recover all of Palestine. Israelis and their supporters in the US ridicule anyone who credits such statements, pointing out that in that same interview Meshal insisted on the Palestinian refugees' "right of return," which he knows no Israeli government will accept.⁶

Apparently they expect Hamas to concede that right – one that Abbas and Fatah also demand – before negotiations have begun. But they do not similarly ridicule Netanyahu's declared support for a two-state solution even when he attaches conditions everyone knows no Palestinian leader would ever accept. Defenders of Netanyahu insist he must be left with negotiating room for the compromises he will have to make, but apparently believe Palestinians do not deserve that same consideration.

It is this feigned Israeli ridicule of any Arab opening towards Israel that sank King Abdullah's peace initiative of 2002 offering to normalize the relations of all Arab states with Israel; "feigned," because it is not scepticism of Arab seriousness that is behind Israeli leaders' dismissal of Palestinian or Arab states' outreach to them, but the fear that it may be sincere, and would therefore compel serious Israeli responses that would expose Israel's real positions on final status.

That exposure is something Netanyahu has so far refused to risk, for it would prove that the territorial and security constraints he intends to impose on Palestinian sovereignty amount to a continuation of Israel's occupation under some other name. It was Netanyahu's refusal to provide that information to Obama when they met at the White House on March 23 that precipitated the crisis in Israeli-US relations that Obama sought to diffuse so humiliatingly at their meeting of July 6.

Hamas – pragmatic and opportunistic

But it is not only Israel that has ignored significant changes in Hamas. The United States and Europe have done so as well, insisting that Hamas must first accept conditions for engagement designed by Israel expressly to preclude the possibility of their acceptance. There is no reason for the US to continue to support these conditions. Obama has not imposed similar conditions for talks with the Taliban. To the contrary: he is encouraging the return of the Taliban to a coalition government with President Hamid Karzai even as they are killing American forces and Afghan civilians. Is the Taliban's ideology more congenial to Obama than that of Hamas, many of whose leaders and adherents are university graduates, and who encourage rather than forbid and punish the education of their daughters?

Questioned by his interviewer in *Al-Sabeel* about the "marginalisation of women's role in political and social life," Meshal stated that this marginalisation "does not come from the text and spirit of the Sharia," but is the result of "cultural backwardness." He declared that Hamas will not allow "the ages of backwardness or the weight of social norms and traditions that stem from the environment rather than the religious text" to distort Islamic concepts, "especially since the environment of Palestine is not a closed one but a historically civilized one, enjoying plurality and openness to all religions, civilizations and cultures."

⁶ Charlie Rose, transcript of interview with Khaled Meshal, 28 May 2010, http://www.charlierose.com/view/interview/11032#frame_top, accessed 21 August 2010.

A recent report⁷ revealed that the view that US policy towards Hamas is based on a serious misreading of the movement is shared by senior intelligence officials at US Central Command – CENTCOM. In a confidential report to CENTCOM's commander, General David Petraeus, these intelligence officials questioned the current US policy of isolating and marginalizing Hamas and Hizbullah, and urged that Washington instead encourage them to integrate with their respective political mainstreams. They reject Israel's view that Hamas is incapable of change and must be confronted with force. They maintain Hamas is pragmatic and opportunistic, and that failing to recognize its grievances will result in our continuing failure to get it to moderate its behaviour.

At the heart of Hamas' grievances is the double standard that Israel, the US and Europe apply to the entire range of issues the peace talks are intended to resolve. Hamas' leadership maintains that what distinguishes its movement from Fatah is its refusal to swallow this hypocrisy. It insists on absolute reciprocity, especially with respect to the Quartet's three conditions for removing the political quarantine against it. These conditions require Hamas to recognize the State of Israel, accept all previous agreements with Israel, and renounce violence. Yet these three obligations – every one of them – have been regularly ignored and violated by Netanyahu and preceding Israeli governments.

Settlements violate agreements

While insisting on Hamas' recognition of Israel (a requirement to which Netanyahu has added the demand that Palestinians also declare Israel the legitimate national home of the Jewish people), Israeli governments have refused to affirm a Palestinian right to statehood anywhere within Palestine's borders. That right has been rejected not only rhetorically but by the creation of so-called "facts on the ground," ie, Jewish settlements in East Jerusalem and in the West Bank, intended to prevent a Palestinian state from ever coming into being.

The argument that the settlements are necessary to assure territorial adjustments required for Israel's security has no credibility. The settlement enterprise long ago exceeded the most expansively defined Israeli security needs. It was not Israel's Peace Now but former Prime Minister Ehud Olmert who, while still in office, ridiculed such claims. Olmert said that for Israel's military and security establishments, "it's all about tanks and land and controlling territories and controlled territories (sic) and this hilltop and that hilltop. All these things are worthless." He added, "Who thinks seriously that if we sit on another hilltop, on another hundred meters, that this is what will make the difference for the State of Israel's basic security?"⁸

Palestinian rights not recognised by Israel

Netanyahu's acceptance of a two-state solution, which has not been taken seriously by anyone in Israel, is not based on his recognition of the Palestinian right to national self-determination. Netanyahu led the successful opposition to Ariel Sharon's effort in 2002 to prevent the Likud's executive committee from declaring its rejection of a Palestinian state, thus precipitating Sharon's departure from the Likud to the newly-formed Kadima party.

As long as Israel's government refuses to delineate its borders and to recognize the right of Palestinians to a state of their own east of the 1967 lines, Hamas will reject demands that a Palestinian state of which it is a part recognise Israel. As noted above, Netanyahu refused to indicate his government's definition of Israel's borders even in the privacy of his meeting with President Obama at the White House on March 23.

The second Quartet condition is that Hamas abide by all previous Israeli-Palestinian accords. Clearly, neither President Obama nor the secretary of state, Hillary Clinton, believe Israel has abided by this obligation, or they would not have demanded that Israel halt all further settlement expansion in East Jerusalem and in the West Bank. Israel's violations

7 Mark Perry, "Red Team", *Foreign Policy*, 30 June 2010, http://www.foreignpolicy.com/articles/2010/06/29/red_team, accessed 21 August 2010.

8 Ethan Bronner, "Olmert says Israel should pull out of West Bank", *New York Times*, 28 September 2008, <http://www.nytimes.com/2008/09/30/world/middleeast/30olmert.html>, accessed 21 August 2010.

of previous accords have not been limited to borders and settlements, but include the “road map” and the Oslo accords’ provisions that the future status of Jerusalem can be determined only by agreement between the parties, not by unilateral fiat, as Netanyahu’s government seeks to do.

Non-violent alternative lacking

As to the third condition, renunciation of violence, Israel again is as much in violation of that requirement as is Hamas. On virtually every Israeli measure whose legality has been challenged by the Palestinians – eg, the confiscations of Palestinian territory for Jewish settlements, the expulsion of Palestinians from East Jerusalem, the demolition of Palestinian homes and the construction of a security fence on Palestinian territory – Israel has prevailed because of its unrestrained resort to violence to subdue or eliminate Palestinians who stand in the way.

As a sovereign state, Israel enjoys a monopoly on the use of violence, but only within its own borders. It has no greater claim to a right to resort to violence to implement measures – such as the transfer of its own population to territories under occupation – that are clear violations of international law, than does its subject population.

It is not reasonable, to say the least, to expect that Palestinians would renounce violence and rely instead on their occupiers – who covet their land and are frantically settling their own population on it – to serve as judge and jury of their grievances. The demand that they renounce violence without being provided a credible non-violent alternative, such as a third-party monitoring authority that is empowered to adjudicate grievances from both sides, is neither defensible nor implementable.

Hamas’ religious agenda

What surprises about Hamas’ rule in Gaza is not the visible increase in public religiosity – some of it undoubtedly out of fear of Hamas’ authorities – but Hamas’ relative restraint in imposing such religious behaviour on Gaza’s population, especially when compared to certain other Islamic regimes in the region.

That restraint, and Hamas’ formal commitment to democratic governance notwithstanding, there is no greater danger to democracy – or to any kind of civilized existence – than the toxic combination of religious zealotry and xenophobic nationalism. That holds as much for Israel as for Islamic movements and regimes. When the Israel Defense Forces (IDF) prepared their onslaught on Gaza, the chief chaplain distributed to the soldiers religious literature authored by nationalist rabbis from the settler community, instructing them that Palestinians must be considered descendants of the Biblical enemy of the ancient Israelites, the Amalekites, whom God wants utterly destroyed. The pamphlet stated it is a sin to show compassion towards Palestinian civilians, including children. What impact that “religious” literature had on the appalling disproportion of Palestinian civilian casualties in that operation, including large numbers of Gaza’s children, we will probably never know.

Hamas not an al-Qaeda proxy

Israel would like the world to believe that Hamas is nothing other than a terrorist enterprise, and that Hamas’ “resistance” is in the service of a global Salafist effort to defeat the West and restore an Islamic caliphate. That is a lie intended to place Israel in the vanguard of a Western war on “global terrorism”, in order to justify its demand that the West make allowances for the illegal measures it claims it must resort to if the terrorists are to be defeated.

In fact, Hamas does not share al-Qaeda’s goals, or its hostility to the West and the US. It has consistently rejected al-Qaeda’s urgings that it target American and Western interests, limiting itself instead to the Palestinian national struggle, for which it would like American and European support, understanding how critical that support is to the achievement of Palestinian national aspirations. Opposition from more extreme anti-Western jihadist factions and would-be al-Qaeda supporters within Gaza has been brutally put down by Hamas, for ideological reasons no less than the threat these factions pose to Hamas’ hegemony.

In his interview in *Al-Sabeel*, Meshal rejected violence for its own sake, or as dictated by ideology or religion. He argued violence may be necessary for pragmatic reasons, because “negotiations and peace require a balance of power, for peace cannot be made when one party is powerful and the other weak; otherwise this will be surrender.” Those who are forced to negotiate out of weakness and on terms that disadvantage their rights “are the ones that will pay the price of the negotiations,” he said.

Hamas is an offshoot of the Muslim Brotherhood. Like its parent body, it has little in common with a Salafist purism that calls for a literalistic Islam insulated from modernity and from a modernizing pragmatism that seeks to adapt Islam to the modern world.⁹ Predictions of its likely behaviour when Palestinian statehood will have been achieved can no more be based on its behaviour during a revolutionary struggle against a powerful occupier than the *Yishuv*'s¹⁰ resort to terror during its pre-state struggle was an indication of its comportment after the founding of the state.

Jewish terror

The targeting of Arab civilians by Jewish terror groups in the 1930s is documented in painful detail by Benny Morris, Israel's leading chronicler of the Jewish struggle for a homeland in Palestine. In *Righteous Victims*, Morris writes that the upsurge of Arab terrorism in 1937 “triggered a wave of Irgun bombings against Arab crowds and buses, introducing a new dimension to the conflict.” While in the past Arabs had “sniped at cars and pedestrians and occasionally lobbed a grenade, often killing or injuring a few bystanders or passengers,” now “for the first time, massive bombs were placed in crowded Arab centers, and dozens of people were indiscriminately murdered and maimed.” Morris notes that “this ‘innovation’ soon found Arab imitators.”¹¹

9 Marc Lynch, “Veiled truths: the rise of political Islam in the West”, *Foreign Affairs*, July/August 2010, <http://www.foreignaffairs.com/articles/66468/marc-lynch/veiled-truths>, accessed 21 August 2010.

10 The pre-state Jewish community.

11 Benny Morris, *Righteous victims: a history of the Zionist-Arab*

That there may also have been yet untold Israeli violations of international law well after the establishment of the state too incriminating to be revealed seems evident from Netanyahu's recent decision to restrict access to government archives on subjects that include, according to a *Haaretz* editorial entitled “A state afraid of its past,”¹² expulsions and massacres of Arabs during and following Israel's War of Independence.

Zionist terrorism does not condone Hamas' terrorism. But its history serves to make two points: the inevitability of such abuses when non-violent paths to the achievement of legitimate national goals are denied, and the fallacy of the Israeli claim that a state that comes into existence by terrorist means must inevitably become a terrorist state. The leaders of the two major pre-state Zionist terror organizations, Yitzhak Shamir and Menachem Begin, became prime ministers of what Israelis like to believe is “the only democracy in the Middle East.” (Not that there are many other democracies in the region, but Israeli democracy increasingly stands on the most fragile of foundations.)

The Israeli charge that, unlike the Zionists who abandoned past excesses once they achieved statehood, Hamas continued its terror assaults on Israel even after Prime Minister Sharon withdrew every Jewish settlement and settler from Gaza is disingenuous. The dishonesty of that comparison lies in its implication that with the withdrawal from Gaza, Palestinians achieved their goal of statehood and independence in a part of Palestine.

Not only the West Bank, but Gaza has remained under Israel's occupation, for it has been surrounded by the IDF on land, sea and air, and subjected to an Israeli campaign of de-development that has completely devastated what had remained of Gaza's economy. The stability that Hamas has achieved in Gaza despite

conflict, 1881-2001, Vintage Books, 2001, p 147.

12 “A state afraid of its past”, *Haaretz* editorial, 29 July 2010, <http://www.haaretz.com/print-edition/opinion/a-state-afraid-of-its-past-1.304711>, accessed 21 August.

Israel's relentless efforts to bring it down is at least as impressive as what the Palestinian Authority (PA) has achieved in the West Bank, given the vast European and American resources endlessly poured into the PA's treasury.¹³

Breaking the stalemate

Political Islam cannot be ignored

Having decided to join the Palestinian political process in 2005 and won a free and fair democratic election (the first in the Arab Middle East) in 2006, Hamas is surely as legitimate a stakeholder in the Israel-Palestine conflict as is Fatah, the party that lost that election. A peace accord that ignores legitimate stakeholders cannot hope to succeed. But there are fundamental reasons for changing Israeli and US policy towards Hamas that go well beyond Hamas' capacity to prevent a peace accord reached only with Abbas.

Political Islam has emerged as the dominant religious, cultural and political movement in the Arab world and in much of the larger Islamic world. Most Muslim governments recognize this reality and have come to realize that competition with political Islam "can neither be suppressed nor ignored."¹⁴ Israel is a Middle Eastern country, and cannot expect to achieve security by conducting an endless war against political Islam. Its misguided effort to do so is not a sustainable national policy.

If the unresolved Israel-Arab conflict is not to bring the region to more radical instability and deeper conflict that will inevitably exact a heavy price from America as well, the Obama administration must lead an international initiative to define the parameters of an Israeli-Palestinian agreement and actively promote Palestinian political reconciliation. If Obama cannot provide that leadership, Europe must do so, and hope America will at least follow. Unfortunately, there is no silver bullet – not even American-sponsored parameters – that can guarantee the goal of "two states living side by side in peace and security." But President Obama's present course absolutely precludes it.

13 Yezid Sayigh, "Hamas rule in Gaza: three years on", *Middle East Brief* 41, March 2010, Crown Center for Middle East Studies, Brandeis University, <http://www.brandeis.edu/crown/publications/meb/meb41.html>, accessed 21 August 2010; Nathan Brown, "Are Palestinians building a state?", Carnegie Endowment for International Peace, June 2010, http://carnegieendowment.org/files/palestinian_state1.pdf, accessed 21 August 2010.

14 Ian S. Lustick, "Israel could benefit from Hamas", *Forbes* magazine, 17 June 2010, <http://www.forbes.com/2010/06/17/israel-hamas-middle-east-politics-opinions-contributors-ian-s-lustick.html>, accessed 21 August 2010.