

# What Hamas Wants

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**Hamas does not formally recognize Israel. This has brought about an international intransigence with regard to its victory in a democratic election. Paul Delmotte shows that Hamas has taken steps toward possible negotiation with Israel - and de facto recognition - which neither Israel nor the international community has acknowledged.**

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The failure to form a Palestinian coalition government again raises the question of why Hamas persists in refusing to recognise Israel officially and explicitly, despite considerable pressure at home and abroad. The first answer, which is rarely discussed, is that Hamas is convinced that recognition would be a pointless concession.

It has not forgotten that for decades the international community pressured the Palestine Liberation Organisation (PLO) and Fatah, both secular bodies, to make the same concession: They were given nothing in return, neither a Palestinian state nor a capital in East Jerusalem. Worse, Israel did not accept any responsibility for the Palestinian exodus of 1947-49 nor did it recognise the right of return (or the entitlement to compensation) of some 5 million refugees.

In March 2006, the Israeli prime minister, Ehud Olmert, announced a unilateral programme of withdrawal from occupied territory, stipulating that Israel intended to keep 36.5% of the West Bank, not including East Jerusalem and the Jordan valley. This represented almost half of the 22% of the post-1949 Palestine on which Yasser Arafat had hoped to build a Palestinian state. Hamas consequently seems to have decided to stick to the position the PLO defended in the 1970s and 1980s, keeping recognition for Israel in reserve, while making a succession of minor statements reflecting de facto recognition of Israel.

Many commentators maintain that Hamas' radical stance is due entirely to its Islamist worldview. As researchers Bruno Guigue and Khaled Hroub have often pointed out, this analysis of Hamas policy is based only on its charter, published in August 1988.

Hroub has analysed in detail three key documents published by Hamas since the charter: its autumn 2005 election manifesto, Change and Reform; its March 2006 draft programme for a government of national unity; and the government programme presented by the Palestinian prime minister, Ismail Haniyeh, to the new parliament on 27 March 2006. Hroub points out that Hamas is now a different organisation from the Hamas that took shape at the beginning of the first intifada in December 1987.

## **Democratic concerns**

According to Hroub, Hamas now claims to be concerned about political freedom: freedom of expression, press and association; pluralism; the separation of powers; and due electoral process. It also wants to build a proper civil society and uphold minority rights. Between the first and third documents, the number of religious references decreases and the theme of armed struggle disappears almost completely to make room for matters of governance and civil reform. There is also a noticeable change towards the “two states for two peoples” solution, and in the attitude of Hamas towards international agreements on Palestine.

Western media and government bodies have not publicised any of these documents. Hroub notes that of the 13 items in the manifesto addressing legislative and judicial policy, only the first, which stipulates that Islamic law should be the principal source of legislation, has attracted any public attention; it prompted fears of an Islamic society. The 12 other items, which do not mention Islam, have gone unnoticed.

Guigue writes: “On an issue as essential as the Islamic status of Palestine it is striking that the election manifesto makes passing reference to Qur’anic tradition, without dwelling on the topic.” He also finds it significant that the manifesto should refer to United Nations resolutions when condemning Israel’s illegal occupation. He writes that this does not mean that Hamas is ready officially to recognise the state of Israel, a requirement that also features in several UN resolutions. But explicit appeals for compliance with international law “will sooner or later lead to accepting all the [attendant] consequences”.

As for the programme for a national unity government, its preamble recalls the need to preserve non-negotiable national imperatives: an end to occupation; the right of return; the right to resistance in all forms; the construction of an independent and fully sovereign Palestinian state with Jerusalem as its capital; and the rejection of partial solutions.

Setting aside the fact that these priorities are common to all Palestinian organisations, including those that the international community is prepared to endorse, many clauses in the programme reflect the efforts of Hamas to make allowance for international demands, even if they fall short of fulfilling all its requirements.

Hroub maintains that the programme as a whole hinges on a two-state solution, referring to territory occupied in 1967 without any mention of liberating the whole of Palestine or destroying Israel, as was the case in the charter. He notes that the government platform of 27 March shows no sign of backtracking on the ideas outlined in the programme of national unity. This is significant, for by this stage the other political organisations had rejected plans for a coalition. The platform consequently only concerned Hamas, which had no further need for concessions.

## **Stifling Palestine**

The silence that has greeted the texts published by Hamas should prompt questions about the international community and the European Union. The obsession with Hamas’ Islamist leanings was not the only the justification for the decision to impose economic sanctions on the Palestinians unless they unilaterally renounced their part in the violence and officially recognised Israel (without any gesture being demanded of Israel), but it made it easier to convince public opinion of the need for sanctions.

Commentators in the United States and Europe have been quick to condemn the shocking remarks about Israel and the Holocaust made by the Iranian president, Mahmoud Ahmadinejad, since October 2005. But their swift response has distracted attention from the positive reception that his words enjoyed in the Middle East, and farther afield. What Ahmadinejad made explicit with these remarks (at least as they were understood by some in his Arab and Muslim audience) was that recognition or denial of the reality of the Holocaust was less important than the idea that, 60 years after the Nazi genocide, the West still uses it, along with Zionism, to justify the fate of the Palestinian Arabs.

Several years ago the Israeli historian Dan Diner identified three orders of legitimacy for Israel, to which he allocated degrees of universality. He classified Zionist legitimacy as unilateral, because it was only valid for Jews, being based on a promise by God to the Jews. He acknowledged that Jewish legitimacy, rooted in the horror of the Holocaust, was only partly universal. He rated Israeli legitimacy as universal since, in his view, it was based on Israel's irrevocable right to exist because it already did exist.

We may acknowledge this Israeli legitimacy and conclude, as Maxime Rodinson did, that "the rights derived from making good use of land, from work done and from personal sacrifice are the only ones that may be validly invoked." In which case, we may ask why Palestinians are not entitled to such rights.

### **Recognition is a two-way street**

The legitimacy of Israel is only likely to be recognised in the Arab and Muslim world if it is unbreakably linked with universal legitimacy for Palestine. In resolution 181 of 29 November 1947, on the partition of Palestine under the British mandate, the UN General Assembly jointly recognised the legitimacy of two independent states.

It might be helpful to recall the legitimacy granted by the UN to Israel. The international community seems to be suffering from amnesia in demanding that Hamas recognise Israel unconditionally. There is no longer any question at the UN of the 44% of the territory covered by the mandate, offered to the Arab state of Palestine under resolution 181. Nor yet of resolution 194 covering the Palestinian refugees' right of return and entitlement to compensation.

By locking itself in this omission and making de jure recognition of Israel an obligation, the EU is digging itself deeper into a hole. It will soon be unable to frame an overall strategy, backed by political proposals, to convince Palestinians, Arabs and Muslims that the West has decided to end double standards.

The Israeli journalist Amira Hass once joked that Hamas extremists think that Allah will give Palestine back to the Arab world and Islam in 50 years, whereas their more moderate brothers think it will take five centuries. As long ago as 1995 Sheikh Ahmed Yassin offered Israel a long-term truce in exchange for a Palestinian state on the West Bank and in Gaza. In 2004 he added that, if this was achieved, he would leave the rest of the occupied territories to history.

Senior Hamas leaders have repeated this offer since and allowance should be made for such statements. They seem to confirm Guigue's view that Hamas has come to "tacitly accept a share-out of Palestine on the basis of the borders as they stood before the 1967 war".

It took Fatah 20 years to make this acceptance official. Europe's lack of political courage since Hamas first made these concessions is partly to blame for the collapse of subsequent negotiations.

Given Israel's persistently intransigent attitude and the worsening tension in the Middle East, it is urgent that the international community act and work towards a solution based on Hamas' de facto recognition of Israel.

"The international community," writes Guigue, "must finally show that its resolutions are serious, after 40 years of conniving with Israel".

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**P.S.**

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