

# SURVEY OF ARAB AFFAIRS

A periodic supplement to Jerusalem Letter/Viewpoints

SAA:16 10 Iyar 5749 / 15 May 1989

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**THE PLO AFTER ALGIERS, STOCKHOLM AND GENEVA:  
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**Raphael Israeli**

[Editor's Note: We are pleased to announce that Dr. Raphael Israeli has joined the Survey of Arab Affairs as a Contributing Editor.]

In the wake of the Algiers Conference of November 1988 in which the PLO declared the independence of a Palestinian state, the "Stockholm document," and Yasser Arafat's Geneva speech and press conference, has the PLO dramatically changed its traditional attitudes or has it simply juggled words in order to placate world opinion? Those who believe that the PLO has changed point to the fact that its leaders have finally pronounced the magic words: "Israel," "peace," "partition," "242 and 338," and "an end to terrorism." Those who do not, point to the ambiguity surrounding each such statement. Since there is no way to know what the PLO truly believes or

intends, our only recourse is to analyze the published texts, bearing in mind that every word and coma had been negotiated, debated, and fought over.

#### **Terms, Procedures and Legalities**

The Algiers resolutions, namely the Declaration of Independence and the political communique, reflected the median compromise between Fatah, Arafat's own dominant group, and the more extremist Habash and Hawatmeh factions. They represented the lowest common denominator that all could live with but interpret in their own different ways, but as resolutions they were purportedly binding on all Palestinians represented at the Palestine National Council.

Hence doubts are raised regarding the legitimacy and constitutionality of statements made by individual PLO

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leaders. Even disregarding the problem of the representativeness of the PLO leadership who were never formally elected, and even ignoring the many dissident groups sponsored by Syria and others who boycotted the PNC and condemned its resolutions, there still remains the problem of validity regarding statements which run counter to formal resolutions. Can one imagine, for example, how the American public would react if the President should announce, without a formal veto, that a given act of Congress was null and void?

The constitution of the PLO, the Charter that was adopted in 1964 and amended in 1968, has never been abrogated by any institution of the PLO. It is as misleading to state that Arafat's declarations have in fact replaced the Charter as it would be ludicrous to claim that a particular statement by the President of the United States could abrogate any of the clauses of the U.S. Constitution. Article 33 of the Charter specifies that it can only be amended by a special meeting of the Palestine National Council, convened specifically for that purpose, and that the decision to amend or nullify any of the clauses can only be adopted by a two-thirds majority. This means that any other decision of the Council, let alone personal statements by the leaders of the organization, carry no constitutional weight.

Arafat was specifically asked during his Geneva press conference about the validity of the Charter in light of the new PNC resolutions and his own statements. His incensed reaction was: would the Israelis give up their own statements that Israel was to extend from the Nile to the Euphrates?, or would Israel renounce its biblical beliefs? However, the fallacy of this analogy is that there has never been a formal resolution by any Israeli institution that the Bible has the force of law or that the borders of Israel should extend to any particular area.

In the past, many PLO officials have explained away the need to amend or abrogate the Charter by claiming that it would be difficult to change such a

fundamental document and that, in any case, it has been gradually superseded by new resolutions of the PNC or by the statements of PLO leaders. The fact is, however, that the Charter was amended in 1968, and for the worse from Israel's point of view. Therefore, it would seem that the Charter is amendable, but only in the direction of undermining Israel. To amend it to be more accommodating to Israel is apparently an impossible undertaking.

Arafat has never become the autocratic ruler of the PLO. In fact, he never tires of repeating how democratic the PLO is and how subservient he personally is to the rule of the majority. This state of affairs was reinforced after the 4th PNC when membership in the PLO became corporative, by group, and was no longer individually-based. This meant that Arafat has to give due recognition to the wishes of the more extreme Habash and Hawatmeh factions in order to maintain Palestinian unity. To implement that decision, they all agreed that the annual PNC would be the only forum authorized to take major decisions. Experience has shown that any relatively moderate statements made by Arafat and his colleagues in the interim periods between PNCs have never been adopted by the next annual meeting of the Council. Hence there is good reason to doubt that the statements made by Arafat in Geneva, Paris, and elsewhere, which were not authorized by the Algiers Conference, necessarily reflect the PLO consensus.

Indeed, after the PNC adopted its resolutions in Algiers, George Habash stated to the international press that the resolutions did not mean recognition of Israel. Following the Geneva clarifications announced by Arafat, his own deputy, Abu Iyyad, and the Chairman of the PNC, Sheikh al-Saih, reconfirmed their commitment to the recovery of all of Palestine by stages. According to the incremental plan adopted in 1974 and never revised since, Palestine does not have to be retrieved in one stroke. The Palestinians could establish "Free Palestine" on any

piece of "liberated territory" and use it as a base to claim the rest.

Abu Iyyad was quoted by the Kuwaiti newspaper Al-Anba' on December 18, 1988 as declaring: "The armed struggle will not be undermined by the Algiers political statement. It will escalate. A small state in its initial stage will grow and expand, God-willing, to the east, west, north and south. Three months ago I supported the liberation of Palestine in one shot, but I was a fool. I am interested in the liberation of Palestine step-by-step; that is the popular path to liberation." He made similar statements about the need to "revitalize the incremental plan" which were reported on November 28 in Al-yaum a-Sabah, a PLO organ in Paris, and on December 2 in Al-watan-al-Arabi.

Sheikh al-Saih was quoted in Al-sharq el-Awsat on January 13, 1989 as saying: "The battle is between two cultures: an Arab-Muslim and a Zionist-aggressive settlement. Our presence in Palestine depends on terminating the other culture. The conflict will end through the victory of justice and the preservation of the existence of the Palestinian people....The Palestinians as Arabs have been on this soil before the emergence of Judaism, Christianity and Islam."

Until 1967, Israel was considered by the PLO as a weak state that could be eliminated at once. Therefore, by encouraging terrorism against Israel, the PLO calculated that it would compel her to retaliate against its bases in neighboring Arab countries and the ensuing total war would then bring about Israel's destruction. The Arab rout of 1967 ended that hope. Abu Iyyad's visit to Vietnam in 1970 deeply impressed the PLO with the idea of war in stages, of the kind waged by the Vietnamese against the Americans: first to accept part of the territory in the north as a base for a socialist Vietnam and then to use it as a launching pad for the final onslaught to reunify the entire land.

The issue of the "right of return," so vehemently emphasized by Arafat in all his speeches in recent months, also poses a

serious threat to Israel, should she respond to the PLO peace initiatives. This right, which means the repatriation of the Palestinian refugees to their original homes in Israel proper, is calculated to subvert Israel from within by tilting the precarious demographic balance in favor of the Palestinians.

One problem which casts doubt on the validity of the recent Palestinian declarations and resolutions is the representativeness of the presently truncated PLO. Dissident groups such as that led by Abu Mussa, which controls some 5,000 Palestinian fighters (about one-third of the total under arms), boycotted the Algiers Conference, challenged its legality, and disassociated themselves from its resolutions. Thus, the Algiers Conference resolutions and the clarifications added by Arafat at American insistence are not universally accepted within the Palestinian community.

Even more troublesome is the dramatic rise of the Muslim fundamentalist Hamas movement within the territories controlled by Israel, which are wrongly assumed to be under Arafat's control. In fact, Hamas makes no secret of its platform which calls for the establishment of a Muslim state to include Israel as well as the territories of the West Bank and Gaza. Their supporters now include a sizeable portion of the population in the territories -- up to one-third in the West Bank and as much as one-half in Gaza -- and are already able to challenge Arafat's leadership and call their own strikes independently of the intifada command. (See "The Challenge of the Muslim Fundamentalists" in this issue.)

### **The Three American Prerequisites**

The Americans, who are used to standards of law-abiding and honesty in fulfilling international obligations, have naively believed that if Arafat could be brought to correctly pronounce the triple slogans of recognition of Israel, acceptance of UN Resolutions 242 and 338, and renunciation of terrorism, then this would make the PLO a different organization. Careful analysis reveals, however, that none of the

three American conditions were in fact accepted by the PLO. Judging them by the texts of their statements, it must be assumed that if they had meant other than what was written, they would have been able to articulate it clearly.

The total and unqualified rejection of Israel and of the ideology underlying its foundation and existence are clearly and repeatedly stated in the text of the Palestinian Charter. The Algiers Conference was supposed to signal a shift in the PLO approach in this regard. Significantly, in the Arabic text of the Algiers communique, every time the Palestinian right for self-determination is invoked, it is stated that it will be implemented over (fawqa) the land of Palestine, an appellation which can be interpreted to mean the entire territory of Palestine. However the English text speaks only of implementing that same right in Palestine, which is seen to mean in one part of Palestine. There exists an Arabic word for "in," but it was not used.

Whenever the word "Israel" is used in the Algiers resolutions or in the subsequent speeches and clarifications of Arafat, it is always in negative contexts: Israel is imperialistic, racist, criminal, expansionist, based on usurpation and deception, a totally negative entity by nature and regime, a country that violates international law and does not heed the castigations of the world community. This sounds more as a delegitimization of Israel rather than as an attempt for conciliation with it.

Wherever it would have been appropriate in the resolutions and statements of the PLO to mention Israel in a positive context, for example, with reference to the end of the conflict, a peace settlement, and the like, not once does the word "Israel" appear. The repeated pattern is, rather, "all parties to the conflict, including the PLO," or "the Palestinians," never "all parties including Israel," or "including Israel and the PLO." Only in the press conference in Geneva did Arafat depart from this pattern and say: "including Israel." But does Arafat's forced

announcement truly supersede the resolutions of the PNC in Algiers?

Contrary to the myth that has been propagated, not only did the PLO in Algiers not formally recognize UN Resolutions 242 and 338, but they were clearly rejected in substance. All that the PLO said was that it would be prepared to participate in an international conference based on those two resolutions. The results of that conference are predetermined to be the establishment of a Palestinian state, not recognition of Israel or peace with it. It was clearly stated in all the PLO documents that the international conference was to implement the right of self-determination of the Palestinians, something that runs exactly counter to the word and spirit of these UN resolutions. For example, 242 does not even mention the word "Palestine" or "Palestinians." All it says is that there should be a solution to the refugee problem, the conventional interpretation being that the term "refugee" includes both Arab and Jewish refugees. 338 is a procedural resolution adopted following the Yom Kippur War in October 1973. That resolution reaffirmed 242 and called upon the parties to the conflict to accept a cease-fire and to start negotiations under appropriate auspices.

Desisting from terrorism was the third condition posed by the U.S. for its dialogue with the PLO. This is perhaps the most problematic issue because, even more than the others, it is open to interpretation and can be tested against deeds on the ground. Unfortunately, what is terrorism for one party can be termed by others as a war of national liberation. Therefore, the PLO accused Israel both in Algiers and in Geneva of resorting to "state terrorism" to quell the intifada. When the definition of terrorism is changed to mean that Israel is the terrorist, not the PLO, it becomes easy to denounce terrorism. At the same time, the PLO repeatedly stated after Geneva and even after its dialogue with the U.S. had begun that not only the intifada but also activities against military

targets in Israel would not be considered as acts of terrorism. In the past, civilian villages along Israel's borders have been dubbed "military posts," school children as "para-military forces," and civilian buses as "military convoys."

It is evident that beyond the rhetorical improvement of Yasser Arafat, the Palestinians still have a long way to go before they can become partners for negotiation with Israel. There may be some elements within the PLO who perhaps would have liked to go beyond the Algiers texts, but judging the final product, which was arrived at following a long and arduous process of pressures, counter-pressures, threats, and quarreling, then although the PLO may be on the verge of undertaking a new path, no clear-cut breakthrough has yet occurred. We may be seeing a forced yielding to outside pressures, but no new awareness born out of ideological maturity or a spirit of reconciliation with Israel.

#### **A Plan for Mutual Recognition**

Under these circumstances, the three American conditions posed to the PLO are not sufficient, for we have seen how the PLO can seemingly respond to them favorably while in fact circumventing their spirit and substance. Israel ought, therefore, to take the initiative and lay out publicly a series of conditions which, if accepted without equivocation, could purge the PLO of its negative attributes and open the road to a historical reconciliation between the two nations. This plan would include the following steps:

1. The right of self-determination, which the Palestinians are asking for themselves in all their documents, resolutions and speeches, is due not only for them but also for the Jewish people. The PLO has assiduously refused to recognize the existence of the Jews as a people. As Article 20 of the PLO Charter explicitly states: "Judaism, being a religion, is not an independent nationality. Nor do Jews constitute a single nation with an identity of its own."

Even should the PLO unequivocally recognize the State of Israel, that is not sufficient unless they are willing to recognize it "as a Jewish state." Otherwise, according to PLO logic, a truncated Israel (after it returns to the partition boundaries of 1947), inhabited by a large Arab population (after the right of return of the Palestinians is implemented), would in no time turn into an Arab-majority state whose Jewish nature would disappear. Thus, exactly as the Palestinians aspire to establish their own state in order to bring to bear their Palestinian and Arab heritage, the Jews strive to maintain a Jewish state for themselves.

2. The Palestinians should be expected to recognize Zionism as the movement of national liberation of the Jewish people if they want the Jews to recognize the Palestinian national movement. As long as the Palestinians insist that Zionism is racism, it will be virtually impossible for them to come forth and reconcile with the Jewish state. It is Zionism which is refuted in the Charter, not the State of Israel, and therefore this has to be reversed.

3. "Armed struggle," the term used by the PLO in its Charter to designate their mode of confrontation with Israel, also means riots, demonstrations, the intifada, hijackings, taking of hostages, sabotage, and terrorist attacks. Only a renunciation of the armed struggle would signify that the PLO has indeed ended its terrorism.

4. If the PLO states its acceptance of the principle of partition of Palestine between the Israeli Jews and the Palestinian Arabs, then the road is wide open for negotiations regarding the boundary between them. It should be made clear, however, that what is at stake is not only Western Palestine, west of the Jordan River, but the entire land of historical mandatory Palestine. While the principle of "two states for two peoples" is fair and acceptable, it does not stand to reason that three-quarters of that land be severed from it and called by a different name

(Jordan), while the remaining one-quarter of the territory is again subject to a further partition in order to create a third state. If that were to be the case, then in addition to the existing Palestinian-majority state, now called Jordan, there could be another Palestinian-majority state in the West Bank and Gaza which could call itself any other name and continue to claim the rest of Palestine from Israel in order to establish, finally, a country named Palestine.

5. The adoption of new resolutions by the PNC explicitly changing the Charter to reflect its acceptance of Israel would make the PLO a credible partner for peace with Israel.

6. Direct negotiations between Israel and the Palestinians, be they between the transformed and purged PLO or otherwise, are not only the best effective means to resolve the conflict, but also a test of the character and intentions of the PLO. Direct negotiations, without hiding behind other powers, also imply the recognition of the party with whom one is negotiating and a readiness to conclude a deal with it. But direct negotiations with the PLO are only acceptable after that organization takes these concrete steps to make themselves a credible partner. Until they themselves can agree to endorse these words of mutual recognition, we must assume they are still planning to destroy Israel, as they have stated so often in the past, and as long as this is the case, then there is nothing to talk about.

Israel could, without jeopardizing itself or giving up any of its basic guiding principles, adopt these prerequisites for recognizing the PLO and negotiating with it. Even if they are rejected by the PLO, they still sound more reasonable and constructive than the flat refutation of the PLO's own subversive overtures. Such proposals are likely to be ultimately adopted by the PLO leadership because it stands to lose much more by their rejection than by their adoption: they are in dire need of independence and reconstruction, of unity and resettlement of their

people, and of peace with Israel and an end to the conflict.

Together with an energetic diplomatic move based on this plan, Israel should quell the intifada without further delay. It has already lasted too long and has caused too much unnecessary pain, casualties, and damage, especially to the Palestinian population. Israel is obligated to maintain peace and order in the territories pending a final settlement. It may be that if Israel announces this plan, it would have a mitigating effect on the unrest. If not, the elimination of the riots would lower the level of expectations of the inhabitants and the Palestinian establishment. The fact is that we did not hear of the declaration of a Palestinian state in Eastern Palestine (Jordan), despite its being populated by more Palestinians than Western Palestine under Israeli rule. The reason is that the Hashemite king does not allow any intifada in the territory under his rule, and the Palestinians know full well that if they should initiate one, their fate would be like that of their brethren who were massacred during Black September, 1970.

To well-meaning Israelis and outsiders, one should say that it is not enough to evince good intentions and honest compassion because our rivals are not inclined in the least to reciprocate. To pretend that it rains when they spit in our face gives them no incentive to change from within and to alter their positions. The fact is that, of late, the PLO has been making strenuous efforts to embellish themselves in the media so as to endear themselves to world opinion. If we should declare them as presently acceptable, what reason would they have to change further?

We should not forget that it is precisely the PLO, despite its popularity and wide acceptance around the world, which has been under pressure to change. It is the PLO which feels besieged by a world public opinion which demands new formulas calculated to satisfy Israel and the U.S. Let us also remember that the Palestinians are today desperately struggling to gain

what was offered to them in 1947 but which they elected to reject. Today, after so many wars, casualties, defeats and mistakes, perhaps they are ready to embark on a new road if they are willing to adopt the principle of true mutual recognition with the Jewish state.

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### THE CHALLENGE OF THE MUSLIM FUNDAMENTALISTS

3 Apart from slogans and interviews to the media in which Hamas spokesmen have consistently and unabashedly declared their commitment to an Islamic state over all of Palestine, the movement published a 40-page platform in Arabic in the summer of 1988. Here are some highlights of the platform of the Hamas Muslim fundamentalist movement:

a) The introduction includes quotes from the Koran which mention the "state of misery of the People of the Book" (Jews) who have brought upon themselves the wrath of Allah. Thus, as some eminent Muslims are cited to have said, "Israel will exist until it is eliminated by Islam."

b) The introduction also contains a call for  Jihad  (holy war) to "liberate Palestine" and a promise that those who fight for Palestine would join all their predecessors since the times of the companions of the Prophet.

c) The Hamas movement, which is a branch of the Muslim Brotherhood, undertakes to hoist the banner of Allah over every inch of Palestine. Only under the wings of Islam could the members of other religions live in safety (Article 6).

d) The Islamic movement is one link in the long chain of fighters against Zionism. We are looking forward to implement Allah's and the Prophet's promise to the effect that "the time will come when the Muslims will fight the Jews and kill them....Even if Jews should hide behind trees and rocks, these will cry out: 'Oh Muslims, there is a Jew behind me, come

and kill him...'" (Article 7).

e) Hamas believes that Palestine is an Islamic  waqf  (holy endowment) until the end of days. Therefore, one cannot renounce it, or part of it. Palestine is not owned by any Arab or Palestinian country or organization, it is an Islamic  waqf . And like other countries occupied by Islam, it must be ruled by the  shari'a  (the holy law of Islam) (Article 11).

f) All the so-called "peaceful solutions" like international conferences aimed at resolving the Palestinian issue contradict the principles of Hamas. Giving up any part of Palestine means hurting the heart of the faith itself. Therefore, Hamas' rejection is part of its religious belief and it will not trust the unfaithful Jews and Christians who are to participate in such conferences and solutions. The Palestinian problem can only be resolved by  Jihad  (Article 13).

g) Palestine is an Islamic land. It includes the first  qibla  (direction of prayer - Jerusalem) and the third holiest place (the Temple Mount). From it the Prophet ascended to heaven. Therefore its liberation is an absolute duty on every Muslim everywhere (Articles 14-15).

h) Palestine has always been coveted by many who took it by force. Muslims could always reconquer it only when they heeded their faith and launched their  Jihad . Thus, this is the only way to recuperate Palestine. Exactly as Palestine was retrieved from the hands of the Crusaders and the Tatars, it will be from the hands of the Zionists (Article 34). -- R.I.