Israel should listen to what Sinwar says

Shaul Arieli, Ha'aretz, June 5, 2018

The damage caused by Hamas to the Palestinian national interest, as dictated and led by the PLO headed by Arafat and Abbas since 1988, has been discussed extensively: the division and control of the Gaza Strip, which undermines the PLO's status as the legitimate and sole representative of the Palestinian people, as the Arab League recognized in 1974, followed by the United Nations and Israel in 1993, and in the preservation of the ethos of the conflict with regards to the "right of return", as reflected in the events of last month, labeled as the "March of Return". At the same time, many shades of gray can be seen in statements made by Hamas leader Sinwar, who is in line with the PLO's position on this issue as well, but the chances of reaching an agreement in its regard depends mainly on Israel and the US, which backs Israel unconditionally.

In 1948, the Palestinians, like the entire Arab world, rejected Resolution 194, which serves as the basis for their claim of the right of return. In contrast to Egypt, Jordan, and Syria, they again rejected Resolution 242, adopted in 1967, because these two UN resolutions referred to their individual rights as refugees and completely ignored their collective right to self-determination and to establish an independent state.

In 1988 there was a dramatic change in the attitude of the PLO, which did not concede on the refugee issue as it did on other core issues of the Israeli-Palestinian conflict (borders, Jerusalem and security). This change was part of a package deal whose main thrust was to concede 100 percent of the homeland of Palestine in exchange for the state of Palestine in 22 percent of it. As Abbas said in an interview with Al-Arabiya television channel in 1988. "The opportunity of the partition of 1947 was lost, and before that the opportunity of the Peel Commission was lost. But we do not want to lose another chance. Therefore we have received the partition of 1948 and 1967, which do not include more than 22% of historic Palestine".

The change in attitude toward the refugees was the result of the realization that giving up the return, which threatens the Jewish character of Israel, is the price required for the right to an independent state. In the same year, Abu Iyad, Arafat's deputy, replied as follows, to the "15-point letter" sent to the PLO by the US State Department, which sought to examine the possibility of integrating the PLO into a political process: "The right of return can not be realized while harming Israel's interests, but have to take into account the situation created since 1948 ... We understand that total return is no longer possible ... We are not completely unrealistic when we consider how to realize this right ... It must not be an unbridgeable obstacle".

This new position of the PLO was presented in the context of all negotiations with Israel. Prior to the Camp David Summit in July 2000, the research division of the Intelligence Branch gave the decision makers a clear picture of the Palestinian position that "Arafat and the Palestinian leadership intend to exhaust the political process with the aim of reaching a two-state solution based on the established and recognized Palestinian political position adopted by the PLO in 1988: A state within the 1967 borders, including Arab Jerusalem, on the basis of UN Resolutions 242 and 338". The Military Intelligence emphasized that "the issue of territory is the most important issue in the eyes of the Palestinians, while the right of return constitutes an important bargaining chip against Israel". Over the years, the "conversion deal" was formed between the four core issues, including the refugee issue. The first couple of issues were made up of the issue of borders, in which Israel, in the Annapolis process headed by Olmert, agreed for the first time to accept the parameters of the 1967 lines as a basis and exchange of territories. In return, the Palestinians agreed to demilitarize their state and extensive security arrangements. The second couple of issues included the refugee issue, in which the Palestinians were required to give up the return to Israel, but demanded a capital in East Jerusalem.

The Arab League accepted this deal at its meeting in Beirut in 2002. Even in two articles regarding the refugee issue that was adopted at the meeting, there was nothing in it to change the basics of the deal: The first, the most significant of which is "a just solution to the Palestinian refugee problem, which will be agreed upon in accordance with UN General Assembly Resolution 194." The second section added the reservation that "the council is guaranteeing its refusal to any form of permanent settlement of the Palestinian refugees that contradicts the special circumstances in the host Arab countries".

As long as Israel sought to avoid this "conversion deal”, the Palestinians responded on three levels. First, in the course of the negotiations, they relinquished and further conditioned their concessions, as the July 23, 2008 email from Ziad Klut, the legal advisor for the Palestinian negotiating team in the Annapolis process, states: "Strategically, our interest is to postpone the discussion of the refugee issue until we know what we will get on other issues, especially Jerusalem ... it should be made clear to the United States and Israel: we will not discuss the refugee issue as long as the Israelis are not ready for a serious discussion on Jerusalem".

Second, when the negotiations failed, the PLO leadership again sought the support of the Palestinian street in declarations regarding the right of return, but without turning it into an obstacle to the agreement, as Nabil Sha'ath said at the end of the Camp David Summit: "We are at the stage of obtaining every right that was stolen from us in 1967, and every right that was stolen from us in 1948 - at least as far as the rights of the refugees are concerned. These rights brought us back in Camp David to the 'Nakba' - to our right that stems from the Nakba and not from the occupation of 1967".

Third, when Israel led by Netanyahu withdrew completely from this deal, by refusing to discuss the issue of Jerusalem and refusing to accept the 1967 lines as the basis for the border, the PLO chose not to renew negotiations at all.

Hamas' position was completely different in those years. On the eve of the Annapolis conference in 2007, Musa Abu Marzuq, deputy head of the Political Bureau, said: "Why should anyone recognize Israel's "right" to exist when it never recognized the basic crimes of genocide and ethnic cleansing as the means by which it took control of our towns and villages, farms and orchards, and turned us into a nation of refugees? Why should the Palestinians "recognize" the monstrous crime committed by the founders of Israel, which continues to exist through its modern and distorted state of apartheid, when the Palestinians are living ten people in a room, in concrete huts with UN tin roofs? These are not empty questions, and our refusal to abandon the victims of 1948 and their descendants is not a rejection for its own sake".

The beginning of the events, were accompanied by belligerent declarations and fantasies about placing the return above everything else, and were replaced by the pragmatic demand for lifting the blockade on the Gaza Strip.

This change may indicate the additional step in Hamas' slow march towards acceptance of PLO's positions, first and foremost recognition of international resolutions on the Palestinians, as stated by Hamas leader Sinwar: "We are very sorry about the inability of the international community to enforce the decisions it made Previously. To this day, the Palestinians have no recognized state as other states are. Our people demand their right to implement UN General Assembly Resolution 194 (which also includes recognition of the State of Israel). And he adds: "The Palestinian people want to restore their rights and solve their problems peacefully, even if we are forced to turn to armed resistance of the kind that the international law allows us".

Hamas, like the PLO, has never renounced its belief in the right of return, but Hamas, under Sinwa'r's sober and pragmatic leadership, seeks to follow the PLO's footsteps and receive compensation to the concession of not returning to Israel, in the form of an independent Palestinian state alongside Israel. In his view, he can not repeat what the Palestinians perceived as the PLO's strategic mistake: recognition of Israel, renunciation of 78 percent of the homeland, renunciation of the implementation of the return, agreement on the demilitarization of Palestine, the agreement to exchange territories in which Israel will retain the vast majority of Israelis living beyond the Green Line, the agreement to preserve 80% of united Jerusalem as the capital of Israel without accepting in advance the clear consent of Israel to the establishment of a Palestinian state with its capital in East Jerusalem and the settlement of the refugee issue through return to the state of Palestine and compensation.

The latest ceasefire strengthened Hamas' status as the governing authority of the Gaza Strip both in the eyes of Israel and Egypt, who did not bother to "whitewash" the understandings through the PA and in the eyes of the Palestinian and Israeli publics. As long as Israel continues to maintain the political deadlock and erode what remains of the authority of the PA, it will not be long before Hamas's former leader Khaled Mashaal's ambition ("Hamas aspires to take over the affairs of the Palestinian people in all its places of residing and assume national responsibility within the framework of the Palestinian leadership"), will become the harsh and uncompromising reality with which Israel will have to contend.