

## CLARIFYING THE RECOGNITION ISSUE

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Since the day of the Palestinian elections, the press has regularly reported on demands that Hamas must recognize Israel, and accept all previously negotiated agreements. Such demands have come from the EU, President Bush, Secretary Rice, Prime Minister Olmert and many others. And also on a daily basis, there are reports from Hamas leaders about what Hamas will or will not do or say.

Depending on how this controversy is resolved it is possible that international aid to the Palestinian Authority will be terminated, as well as efforts to reach a negotiated settlement of the Israeli-Palestinian conflict.

Yet all of this back and forth, rests on a misconception shared by both sides. When it comes to determining how the international community will deal with the government of the Palestinian Authority, Hamas, is not the appropriate address for the reassurances and commitments that are sought. Rather, these should be addressed to the Palestinian Authority itself.

In its relation to the Palestinian Authority, Hamas has the status of a political party. It participated as a political party in the legislative elections, and candidates either listed by Hamas or identified with Hamas, won 74 seats in the legislature. This is a vast change and quite reasonably raises questions about the future orientation of the Palestinian Authority. But they are questions that should be addressed to and answered by the Authority itself. To do otherwise is parallel to making demands on the Democratic and Republican parties in the United States, or on Labor and Likud in Israel. But these parties are not themselves governments or representatives of peoples under occupation.

Here it is useful to remember that Fatah was not asked to recognize Israel's right to exist; rather this was a demand directed to the PLO, an organization recognized by the Arab world as "the sole legitimate representative of the Palestinian people." Moreover, when Yasser Arafat, speaking in Geneva in December of 1988 met the American conditions, he did so as President of the newly declared State of Palestine, not as the head of Fatah.

These distinctions are fundamental and may offer a way out of the current crisis. For instance, President Mahmoud Abbas, could submit the following Resolution to the Palestinian Legislative Assembly for a vote:

"Whereas, the recent elections for the Palestinian Legislative Assembly resulted in a major transformation of the make up of the Assembly;

"Whereas, this transformation has raised numerous questions in the international community as to whether the Palestinian Authority remains committed to the implementation of all previously negotiated agreements of the PLO and the PA with the State of Israel, including those pertaining to mutual recognition;

"Whereas, it is the desire of the Palestinian Authority to decisively clarify this matter;

"It is hereby affirmed that it is the continuing policy of the Palestinian Authority to implement all such previous agreements;

"Further, it is specifically affirmed that President Abbas is responsible for and encouraged to pursue negotiations of a final status agreement with the State of Israel;

"And further affirmed, that any such negotiated agreement will be put to a binding referendum of the Palestinian public;

"And further, such agreement, if approved by the Palestinian people, will be faithfully

implemented by the government of the Palestinian Authority and the future State of Palestine.”

Hamas, as a political party, will have to advise its members on its position on this resolution, and it will have to decide whether or not this is a matter of party discipline or whether each member will vote his own conscience. In any event, it is the members of the legislature that will vote. If this resolution passes, then the newly elected legislators will have provided for continuity of governmental obligations, and hopefully the road will be opened to resolving the crisis with the international community, and for moving forward towards a negotiated settlement of the conflict.