

# Hudna or Not: Palestinian Rights Must Be Preserved

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Palestinian groups have recently suggested a ceasefire, in exchange for a cessation of Israeli violence. Ehud Olmert responded with a conciliatory speech, cleverly timed with President Bush's arrival to Jordan on November 29 for a two-day conference with top Iraqi officials.

Israel, then, accused Palestinians of firing five rockets into Israel in violation of the ceasefire; a Palestinian militant group said that the violation was in response to Israel's continuous military activities in the West Bank.

Meanwhile, standing side by side with US Secretary of State Condoleezza Rice, PA President Mahmoud Abbas, yet once again, declared a deadlock in his talks with Hamas aimed at forming a national unity government.

The media, once more, indulged in analysing the recent developments, with the full confidence that Olmert's verbal commitment to ending the conflict was indeed genuine. The ball, once again, was placed in the Palestinian court. All eyes are now on Hamas: will it heed to the voice of reason and moderation, as embodied in the character of Abbas? Or will it continue to nurture its sinful alliance with Iran and Syria?

As western governments - led or intimidated by the United States - rushed to punish the Palestinians for their democratic choice, the media largely followed suit: exaggerating Hamas' military strength and its ability to 'destroy' Israel, its adherence to violence as the only means of struggle, its religious fanaticism, and all the rest. Such a portrayal helped contextualize the three unfair conditions imposed on the Palestinian government, to unconditionally recognize Israel, renounce violence and accept previous agreements signed between the former Palestinian Authority governments and Israel, starting with the infamous Oslo Accords, reached in total secrecy in 1993.

I took just 10 months to consolidate such a discourse: where the Palestinians, as always were forced on the defence, desperately trying to show that all the allegations made against their government are untrue. Meanwhile, Israel was left with the gift of time, a desperately needed factor in its colonial war against the Palestinians: robbing more land, expanding its apartheid wall, killing with impunity and so on. Though such means of repression are commonplace tools in the ongoing conflict, exasperated in the last six years of Palestinian Uprising or Intifada, the election of a Hamas-dominated parliament introduced a newer element: starvation, plain and simple.

The Palestinian government, armed with the popular support of its people, which is yet to fade despite all attempts, refused to succumb to such pressure. It continued to argue that

recognizing Israel while the latter claims both historic Palestine and the 1967 Occupied Territories as theirs is out of the question. Who would so naïve as to accept the existence of its occupier, oppressor, while the latter does its utmost to deny the occupied its right to live or to exist?

Unconditionally renouncing violence is equally abhorrent. In the last a few months, since the June capturing of one Israeli soldier, Israel has killed over 400 Palestinians. The latest carnage was in Beit Hanoun, in the Northern Gaza Strip, where in the course of two days, starting 1 November, nearly thirty civilians were killed, a mosque was completely bulldozed and many houses and other civilian infrastructure were destroyed. This was followed by the alleged mistaken bombardment of a residential neighbourhood in the same town that killed 20 people, 17 of whom were members of the same extended family, all women and children. This was in response to the almost complete cessation of violence from the Palestinian side, aside from crude home-made missiles fired randomly from northern Gaza, itself an outcome of the utter frustration with the siege and endless bloodletting; Hamas itself has refrained from targeting Israelis outside the Occupied Territories for over a year. As if the failure of the international community to provide any sort of tangible means of protection to the Palestinian people, in accordance to its commitment under the Fourth Geneva Convention and other pertinent international treaties and laws, is not enough, Palestinians are now pressured to renounce their right to defend themselves. Ridiculous.

Most believe that the current violence is intrinsically linked to failed agreements signed between late President Yasser Arafat and the Israeli government. For Palestinians the agreements delivered next to nothing, save a few symbolic 'achievements' - a flag, a postage stamp and the 'triumphant' return of a few exiled Palestinians; but also the killing of over 4,000 Palestinians - the vast majority of whom were civilians - in the six years of uprising.

Dr. Ahmed Yousef, a top advisor to the Palestinian Prime Minister has recently proposed, on behalf of his government, the concept of hudna, or truce. It's more or less consistent with the recent declaration of ceasefire, the latter perhaps a prelude to a longer one. In an article in the New York Times on November 1, 2006, he wrote: "Typically covering 10 years, a hudna is recognized in Islamic jurisprudence as a legitimate and binding contract. It extends beyond the Western concept of a cease-fire and obliges the parties to use the period to seek a permanent, non-violent resolution to their differences."

However, it must be stressed that this position should neither serve as, nor be understood as a personal indictment; Palestinian violence is hardly comparable to that of Israel, the fifth strongest army in the world; death tolls on both sides effortlessly express the disparity of power. While proposing a hudna is maybe an expression of the current Palestinian government's commitment to peace, or perhaps a way out of a terrible bind; regardless, it should neither override nor cancel out the Palestinian people's uncompromising adherence to their just demands for freedom and rights, determined by a Palestinian national consensus and cemented in international law.

Ramzy Baroud's latest book is *The Second Palestinian Intifada: A Chronicle of a People's Struggle* (Pluto Press) is available at Amazon.com and in the United States from the University of Michigan Press.

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