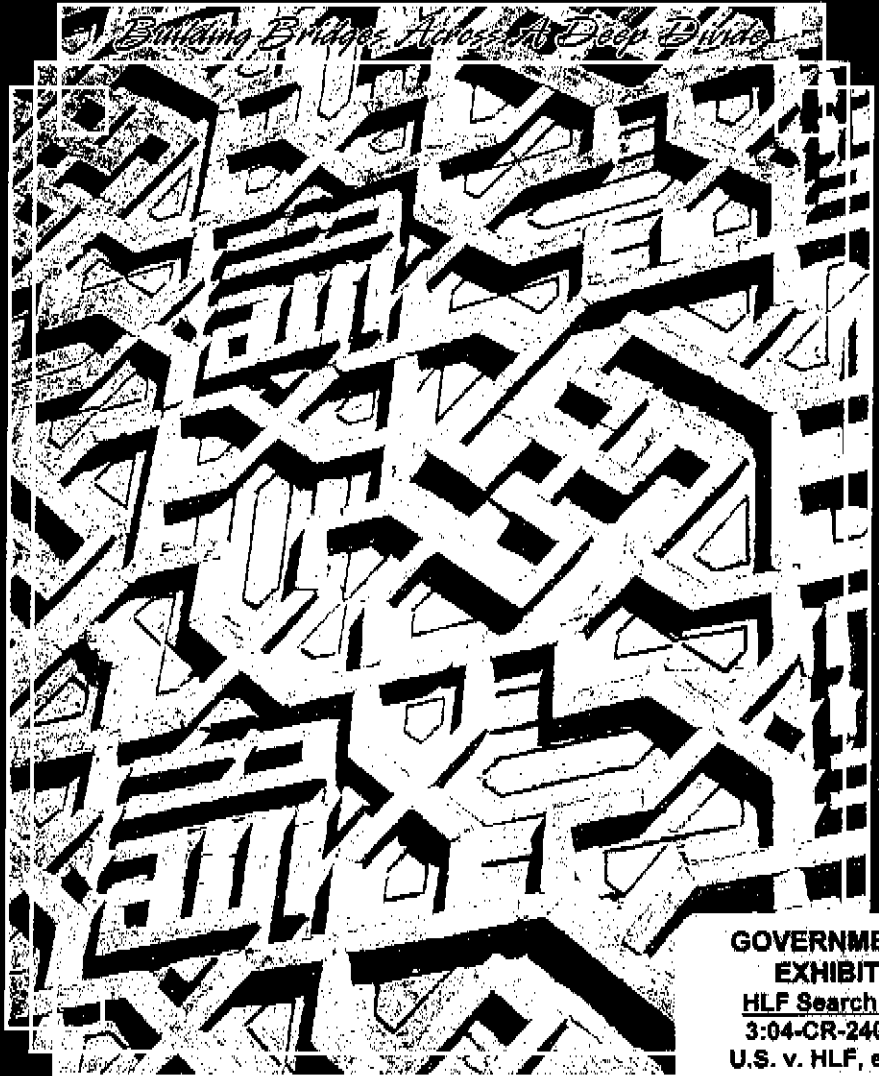




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The Imbalance of Power: A Suggested Cure

Islamic civilization commands a great deal of respect and appreciation, yet this does not preclude on-going friction between the Western and Muslim worlds. Although some view the quandary as simply a religious conflict, the truth is far more complex. On the one hand, Muslim grievances are derived from a miscellany of issues — historical, psychological, colonial, imperial, Western military intervention and hegemony in the Arab world, fragile economies, and absolute rule. The West has its own set of complaints — armaments, oil interests, psychological hang-ups, and concerns over regional stability. Samuel Huntington brought up some real issues by discussing a possible clash of civilizations, although there is no indication that both worlds are destined to collide. Nevertheless, the respective concerns must be broken down into more manageable elements with which both cultures can deal.

Where religion blends with politics, the West, particularly the United States, has an almost obsessive need to control or contain such a phenomenon. This is especially true of Islamic movements. America's role grew prominent following the Iranian Revolution. It was literally shocked into action. Ayatollah Khomeini's ascendance came as a complete surprise. At the time, Americans, policy-makers included, knew next to nothing about Islam as a political force. All at once, they were exposed to a hostage crisis, a trial of four Americans, and the new regime's harsh Islamic rhetoric. What appalled Americans most was not the strength of the words, but their content. Khomeini labeled the United States as an evil force — the Great Satan. The American public, which is quite religious on a personal level, was outraged, and U. S. foreign policy reflected these sentiments.

Muslims may disagree that perceived Western interest — positive and negative — in Islam is recent, citing a long history of perceived Western efforts to subjugate their faith. This view, however, is inaccurate. True, European powers sought global imperial hegemony; yet there was no particular focus on Islam or any specific culture. Their intense rivalries fueled each individual nation's own drive to colonize as much land as possible at the expense of its neighbors. Western technology, beginning in the 17th century, had surpassed that of other cultures, adding to the sense of superiority.

Western powers were intent on controlling other people's natural resources to support their own growing economies. The Industrial Revolution and modernization demanded guaranteed sources of raw materials, such as spice, ore, and, more recently, oil. As indigenous populations developed their concepts of a nation-state — either due to arbitrarily drawn borders or their own sense of iden-

THE LEGITIMACY OF PALESTINIAN RESISTANCE:
AN ISLAMIST'S PERSPECTIVE

Dr. Azzam Tamimi

The purpose of this paper is to introduce the Islamic justification for the legitimacy of the struggle for the liberation of Palestine. The paper will present the viewpoint of the Islamic Resistance Movement as expressed by the (Hamas) founder and leader, Shaykh Ahmad Yassin. According to Shaykh Yassin, the movement is struggling against Israel because of Israel's continued aggression, usurpation of land, and actions of oppression against the Palestinian people.

The prospect of the movement initiating or agreeing to participate in a dialogue with Israel is non-existent at present since the imbalance of power created by America's unconditional support for Israel removes all incentive for Israel to negotiate realistically. In Shaykh Yassin's own words: There can be no dialogue between a party that is strong and oppressive and another that is weak and oppressed. There can be no dialogue except after the elimination of oppression. We will continue to communicate with Israel using the same weapon it has been using against us. We will teach Israel who truly is the strong party that possesses the right and the land. We shall continue to communicate with Israel using the same method until the entire land of Palestine, and not only a part of it, is liberated.

Shaykh Yassin was recently released from nine years of Israeli detention in September, 1997, as part of deal between King Hussein of Jordan and Israeli Prime Minister Binyamin Netanyahu. This deal was struck in

This paper on the resistance movement, HAMAS, was prepared for a conference by the The Center for Policy Analysis on Palestine (CPAP) scheduled for September 11, 1998, on "The Legitimacy of Resistance: Options for Palestinian Survival." Azzam Sultan Tamimi is Chairman of the London-based Liberty for the Muslim World.

the aftermath of the Mossad's failed assassination attempt in Amman on the life of Khalid Mish'al, head of the Hamas Political Department.

Hamas considers itself an extension of an old tradition that goes back to the early twentieth century struggle against British and Zionist colonialism. The fundamentals from which it derives its legitimacy are mirrored in the very name it chose for itself. Its Islamism means that it derives its guiding principles from the doctrines and values of Islam, and its mission is to resist occupation and to struggle for the liberation of Palestine, the whole of Palestine, from the Zionist invaders.

A number of observations will help us understand the nature of Hamas and its rationale:

1) All forms of resistance adopted by the movement stem from the same justifications upon which the national Palestinian resistance movement based its struggle for more than a quarter of a century. At least the first ten articles of the Palestinian National Charter show complete compatibility with Hamas' discourse as elaborated in its Charter and other declarations. Furthermore, the same justifications for resistance had been recognized or endorsed, prior to the emergence of Hamas in December 1987, by a variety of regional and international bodies such as the Arab League, the Islamic Conference Organisation, the Non-Aligned Movement, and the United Nations. The fact that the Israeli occupation of at least the West Bank and Gaza in 1967 is illegal is clear from U.N. Security Council Resolutions 242 and 338. A notable example of such recognition is the resolution adopted by the U.N. General Assembly by the more than two-thirds majority required for important questions on December 6, 1971:

"The General Assembly confirms the legality of the people's struggle for self-determination and liberation from colonial and foreign domination and alien subjugation, notably in southern Africa and in particular that of the peoples of Zimbabwe, Namibia, Angola, Mozambique, and Guinea (Bissau), as well as the Palestinian people, by all means consistent with the Charter of the United Nations ... [It] calls upon all States dedicated to the ideals of freedom and peace to give all their political, moral, and material assistance to peoples struggling for liberation, self-determination, and independence against colonial and alien domination."³

Furthermore, the justification for the adoption of military resistance or armed struggle, against Israeli occupation derives from, and is an extension of, the justification stated in Fatah's first communique, which declared the futility of resolutions by the United Nations and Arab League and their efforts to restore the rights of the Palestinian people or do them justice, and emphasized the fact that the Palestinians were left with no option but to rely on themselves and declare armed resistance.

2) Islam is Hamas' ideological frame of reference. It is from the val-

ues of Islam that the movement seeks inspiration in its mobilization effort in order to compensate for the huge difference in material resources between the Palestinian people and their supporters on the one hand and Israel and its supporters on the other. In so doing, Hamas does not invent an unprecedented position. In fact, most Palestinian resistance movements have at one point or another referred to Islam, both its doctrines and history, in order to inspire their activists to sacrifice and to observe a high degree of patience and steadfastness and hope for either victory or martyrdom. This is not surprising taking into consideration the fact that the justifications for resistance have always emanated from a common Palestinian situation. The culture of Palestinians as Arabs, whether they are Muslim or Christian, is heavily influenced by Islamic values and Islamic terminology. They all feel that Israel, whose policy of expansionism through deceit or violence has never changed since its creation in 1948, has inflicted great injustice upon them.

Deriving justification for armed resistance from Islam, the movement declares in its charter:

"The day the enemies usurp a Muslim land, *jihad* becomes *fard al 'ayn* (compulsory) upon every single Muslim. To confront the Jews, who have usurped Palestine, the banner of Jihad must be hoisted.⁴ Such an outlook renders struggle a religious duty, not a nationalist or patriotic one. In other words, defending the land and honor of the Muslims is an act of worship for which God rewards the *mujahid* in the form of victory in this life and eternity in Gardens of Eden in the life after death. Islamic history is a source of numerous inspiring examples of leaders and armies that performed Jihad for the liberation of Muslim land from foreign invaders using the same slogans. With relevance to Palestine, the examples of Salah-u-ddin al-Ayyubi, who liberated Jerusalem from the Crusaders, and those of Adh-Dhahir Baybars and Qutz, who defeated the invading Mongols, are particularly important.

The modern history of Palestine is rich in Islamic slogans. Apart from a very brief era of extreme secularization that took place between 1967 and 1987, the Palestinian national struggle has generally been Islamic in identity and slogans. The discourse of people like Shaykh 'Izziddin al-Qassam and Al-Hajj Amin Al-Huseini was Islamic. Such discourse was not restricted to Muslims. Christians who fought under the banner of the Arab Supreme Committee or Abdelqadir al-Husseini's Al-Jihad Al-Muqaddas used the same language and emanated from the same motivation. Although certain circles, especially in the Western and Arab secular media, attempt to portray Hamas as if it were an aberration from the norm, the exact opposite is the case.

3) The Oslo agreement between the PLO and Israel represents an aberration or deviation from what hitherto had been a unified Palestinian position vis-a-vis the Israeli occupation of Palestine. The agreement has

allowed some Palestinians to object, for the first time, to armed resistance because, according to them, the peace process would bring an end to occupation and would lead to the establishment of an independent Palestinian state.

One must draw attention here to the fact that Hamas exercised armed struggle long before the Madrid Conference and the Oslo Agreement. Therefore it would be erroneous to suggest that the continuation of such resistance is aimed at undermining or derailing the peace process. Nevertheless, the post-Oslo era has been one of extreme hardship for the movement. Circumstances have changed domestically, regionally, and internationally, making armed resistance very costly and extremely difficult to exercise. It is not only Israel that has now mobilized against Hamas, but also, very regrettably, the Palestinian Authority, whose main task, as stipulated in the Oslo agreement, is to protect Israel by controlling the Palestinian population under its administration. Notwithstanding the anti-Hamas disposition of the Palestine Authority, Hamas has exercised a high degree of self-restraint to avoid being drawn into a Palestinian-Palestinian fight. Such a prospect, the movement maintains, would be of benefit only to the Israelis. Nothing the PA may do, including imprisonment and persecution of Hamas activists, or even handing them over to the Israelis, should be met by an act of violence against the PA but rather against Israel itself. Such a position has gained Hamas, in the eyes of Palestinians, Arabs, and Muslims, respect and has fortified its legitimacy.

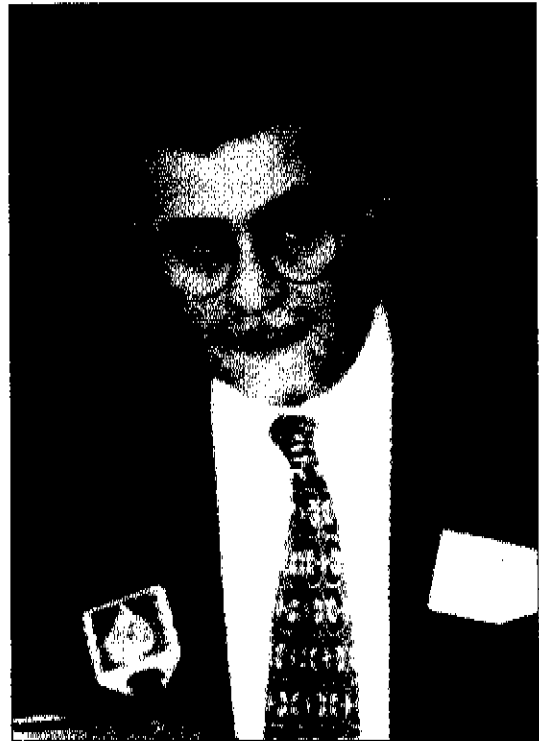
4) Oslo defenders claimed for months following its signing that it would bring an end to occupation and that, therefore, the Palestinians needed no longer exercise armed struggle against the Israelis. But five years after Oslo, what do we see on the ground? The territories are still occupied; as never before, the West Bank and Gaza have been carved, mutilated, and turned into isolated islets of human concentrations, or cantons, administered on behalf of the Israelis by the PA; existing Jewish settlements are being expanded and new ones are being erected; Jerusalem is being expanded and de-Arabized; large areas of land have been confiscated to allow for the construction of by-passes for the exclusive use of Jewish motorists; thousands of Palestinians continue to be detained in Israeli prisons; forms of collective punishment continue to be adopted including the demolition of homes and the closure of entire areas; and the economic situation is much worse than ever before. In other words, the peace process has not improved the conditions of Palestinians under occupation and does not seem to promise any better future.

The claim that armed struggle was no longer necessary has therefore been refuted by reality, giving credence to the argument of Hamas (which is no different from the argument adopted before Oslo by the nationalist

movement as a whole and that continues to be adopted by a score of Palestinian factions opposed to Oslo) that armed struggle is the only real means of liberation. It should be noted here that no one within the Palestinian camp claimed it was illegal, including those who signed Oslo. This position is further fortified by the recognition on the part of the international community, including the United States of America, despite its unconditional support for Israel, that Israeli occupation of the territories is illegal and illegitimate. Ironically, Oslo — in the long run — will serve Hamas more than it serves the PA.

5) Hamas has continually endeavored to maintain good relations with all sectors of Palestinian society and to introduce itself to them, both

Nothing the PA may do, including imprisonment and persecution of Hamas activists, or even handing them over to the Israelis, should be met by an act of violence against the PA but rather against Israel itself.



Muslims and Christians, religious and secularist, as a national liberation movement that shares with them the aspiration to see Palestine liberated from foreign occupation and governed by its own people.

Those within the Palestinian national camp who attempt to view Hamas more comprehensively and opt to consider all its dimensions find a vast area of common ground where co-operation, constructive dialogue, and mutual understanding can take place. On the one hand, Hamas is an important reinforcer of the people's steadfastness in the face of Israeli occupation by alleviating the hardship suffered by the Palestinians. On the other hand, it contributes effectively to checking PA corruption and injustices.

6) Hamas successes among the Palestinians have been paralleled by successes across the region and internationally. This accomplishment has been made possible by virtue of the fact that the organization adheres to the general Arab and Islamic standing vis-a-vis Israel and the U.S.-sponsored peace process. The recent tour of a number of Arab and Islamic countries by Hamas founder and leader Shaykh Ahmad Yassin is a clear indication of this success. The tour could even be read as an important message to whom it may concern. The message is that the Arabs and Muslims, both governments and peoples, by receiving and celebrating Shaykh Yassin, provide his movement with an umbrella of legitimacy, endorsing its armed resistance against Israeli occupation and expressing objection to the imposed settlement which does away with the rights of the Palestinians, Arabs and Muslims, in Palestine.

This position finds strong support among an increasing number of non-Arab and non-Muslim countries in the Southern Hemisphere. Many such nations now consider Hamas a movement of national liberation against colonialism. A senior Hamas leader has intimated that a number of African governments expressed desire to host Shaykh Yassin during his recent tour. Some of them could not invite him because they were not sure they could guarantee his safety. Some others have succumbed to the pressure exercised on them by the United States of America.

7) In spite of the overwhelmingly militant image it has in the minds of many people in the West, Hamas is not a mere military faction. It is a political, cultural, and social grass roots organization that has a separate military wing specialized in armed struggle against the Israelis. Apart from this clandestine military wing, all other sections within Hamas function through overt public platforms. The military wing has its own leadership and recruiting mechanism. The political department, and for that matter institutions concerned with social, medical, or educational services to the public, have no direct say in the manner in which the military apparatus, known as the Brigades of 'Izziddin Al-Qassam, functions or in the way it selects its targets. Some would even suggest that the relationship between the political department and the military wing is analogous to the relationship between Sinn Fein and the IRA.

Hamas social and educational activities in the Occupied Territories have become so entrenched within the Palestinian community that neither the Israelis nor their peace partners in the Palestinian Authority have been able to eliminate them. The fact of the matter is that Hamas, contrary to Israeli assessment, acts as an infrastructure to the numerous cultural, educational, and social institutions in Gaza and the West Bank that render invaluable and irreplaceable services to the public. In other words, it is Hamas that gives life to these institutions and not the reverse. The Israelis have repeatedly told the PA to close them down.

The PA has tried but failed. A crackdown on these institutions amounts to a declaration of war not against Hamas but against the community as a whole. This is so simply because the role played by these institutions is indispensable. Neither Israel nor the PA has been able to provide an alternative.

8) A distinguishing feature of Hamas armed struggle is its discipline. Contrary to the experience of most other Palestinian factions, Hamas armed struggle emanates from Palestine and is restricted to its territory, to what Hamas considers to be the legitimate battlefield. By limiting its armed struggle to resisting occupation, the movement has successfully averted Israeli attempts to drag it into a battle outside Palestine. The assassination attempt on the life of Khalid Mish'al, Hamas political head, was clearly intended to embroil the movement in a war of attrition outside Palestine, a battle Hamas has continuously tried to avoid. Adhering to this position on the part of Hamas has made it rather difficult for the Israelis and their allies, especially in the United States, to convince world public opinion that Hamas is a terrorist group. By all standards, Hamas is a national liberation movement whose military effort is directed solely and exclusively at the foreign occupiers of its people's land inside the occupied land.

9) In recent times, Hamas' military wing, the Brigades of Martyr 'Izziddin Al-Qassam, planned and carried out a number of what Hamas calls *'amaliyyat istish-hadiyah* (martyrdom operations). These are usually described in the Western media as suicide operations. These operations, which target civilians, are considered an aberration from Hamas' fundamental position of hitting only military targets. Hamas officials insist that these operations represent an exception necessitated by the Israeli insistence on targeting Palestinian civilians and by Israel's refusal to agree to an understanding prohibiting the killing of civilians on both sides, an understanding comparable to the one reached between Israel and Hezbollah in southern Lebanon.

The first *istish-hadi* operation came in response to the massacre of Muslim worshippers as they kneeled in prayer in Al-Masjid al-Ibrahimi at dawn on the fifteenth day of the fasting holy month of Ramadan (February 25, 1994). Shaykh Yassin, who offered the Israelis a truce, explains that his movement does not endorse the killing of civilians, but that it is sometimes the only option it has if it is to respond to the murdering of Palestinian civilians. In spite of the offer to refrain from killing civilians if the Israelis promised to do the same, the Israelis insist on ignoring the offer. Hamas accuses the Israelis of having always been responsible for the resumption of its attacks on Israeli civilians.

For seven months prior to the Israeli assassination of Yahya Ayyash, commander of Hamas Brigades, known as the Engineer, the movement

observed a unilateral cease-fire. What Israel came to witness following Ayyash's assassination was to be regretted by Shimon Peres for the rest of his life. The assassination, which was meant to bring victory to the Israelis and humiliation to the Palestinians, cost Peres his political career and has, by bringing Netanyahu to power, changed the course of history. With his own hands, Peres destroyed his own dream of a "new Middle East" in which Israel would become an accepted entity.

Ayyash's funeral, and the funerals of several other Hamas leaders, showed clearly that the Palestinian people as a whole identify with the struggle of Hamas. The rage exhibited by thousands of mourners whenever Israel succeeds in eliminating a military leader is a testimony that armed resistance is a true expression of the wishes of the Palestinians, whose daily encounters with occupation, humiliation, and oppression reinforces their conviction that only the language of force pays off.

10) Soon after his release from jail, leader Shaykh Ahmad Yassin offered the Israelis a truce. He declared that Hamas would be willing to go as far as to sign a cease-fire agreement with Israel on the following conditions:

- a) The truce lasts for a given period of time and does not entail recognition of the state of Israel;
- b) Israel agrees to withdraw all its troops from the 1967-occupied territories;
- c) Israel agrees to dismantle all Jewish settlements erected on Palestinian soil since 1967;
- d) Israel agrees to free all Palestinian prisoners in its detention centers; and
- e) Hamas agrees to stop all military operations against Israeli targets for the duration of the agreed period.

So far, Israel has rejected this offer. Shaykh Yassin believes, however, that sooner or later the Israelis will change their minds and eventually accept a temporary cease-fire. Shaykh Yassin is optimistic about the long term. He believes that the world is already witnessing the beginning of the end of the Zionist project. He predicts that in less than thirty years from now, Israel will be gone.

¹ Shaykh Ahmad Yassin, interview with London *Al-Hayat*, June 4, 1998.

² *Ibid.*

³ U.N. Gen. Assembly, Res. 2787.

⁴ Hamas Charter, Article 15, Palestine, August 18, 1988, p. 16.