**Islam and Judaism Between Peace and Conflict: The Declaration of Principles as a Test Case**

**Introduction**

On September 13, 1993, a historic agreement was signed between Israel and the Palestine Liberation Organization (PLO), known as the 'Declaration of Principles' (DOP) or the 'Oslo Accord I'. This framework agreement stipulated an interim period of five years, after which the parties would reach a permanent settlement based on the principle of "land for peace." During this period, Israel would withdraw from Jericho and the Gaza Strip, and the Palestinians would establish an autonomous authority there. The DOP was general and focused on practical issues, intentionally leaving the religious and identity roots of the conflict and its substantive issues, including Jerusalem, refugees, and borders, for future discussion. This constructive ambiguity enabled bridging the significant gaps and achieving the groundbreaking agreement, but it was simultaneously the seed of destruction concealed within the agreement from its inception.[[1]](#footnote-1)

The Israeli-Palestinian conflict is an example of the research term 'identity conflict' - a conflict that combines an objective issue like territory, with subjective factors, primarily the identity components of the rival groups such as history, culture, and religion. An identity conflict tends to be bloodier and more protracted, as well as it is perceived as a zero-sum conflict. In order to resolve such a complex conflict, both sides need to undergo a profound process of changing their self-identity perception to one that enables the existence of the other alongside them.[[2]](#footnote-2) Religion is one of the factors influencing identity conflicts, for better or worse, through its four social functions - (1) creating a worldview that guides believers' understanding of reality, (2) setting laws and norms of behavior that direct believers' actions, (3) lending legitimacy to institutions or actions, even non-religious ones, (4) uniting people into a broad social collective.[[3]](#footnote-3) Religion can change the direction of a conflict through the use of religious ambiguity - an inherent ambivalence in monotheistic religions surrounding issues that combine law and values, arising from different and even contradictory sources and commandments, and the existence of a flexible space for interpretation – thus allowing religious grounding for almost any view. Using religious ambiguity to construct worldviews supporting reconciliation and lend legitimacy to actions and figures engaged in peacemaking will help raise the conflicting societies onto the road to peace.[[4]](#footnote-4)

The religious context is particularly significant in the Israeli-Palestinian conflict for several reasons. First, it is a conflict over territory considered sacred to both religions. As a result, the political discourse in both societies is directly and indirectly filled with religious values and symbols related to the land, its sanctity, the struggle for it, and the historical national ethos. Second, in Judaism and Islam, identity, nationality, and the connection to territory are largely based on religion and its derivatives - tradition and cultural heritage, which also influence the identity of those who do not define themselves as believers. Third, the two rival groups are backed by external forces of the same religion, which can be mobilized to intervene in the conflict on religious grounds. Fourth and finally, on both sides there are radical groups willing to use violence to thwart any possibility of infringing on the group's religious principles related to the conflict. (However, it cannot be ignored that their weight on the Palestinian side is incomparably greater than on the Israeli side). Hence, it can be inferred that religious values and beliefs, whether genuine or artificially employed as propaganda tools, constitute a formidable barrier that severely hinders any negotiation, a condition termed in literature as the "religious barrier to peace."[[5]](#footnote-5)

At the forefront of the religious barriers to peace that emerged in the discourse around the DOP is the sanctity of the land from a halakhic perspective - in Judaism there are special commandments related to settling the land and prohibiting abandoning it to the nations.[[6]](#footnote-6) In Islam too, Palestine has a special legal status as waqf land that cannot be transferred in ownership.[[7]](#footnote-7) Secondly, the theological sanctity of the land - in both Judaism[[8]](#footnote-8) and Islam[[9]](#footnote-9) this land is considered holy and blessed, given by God to the chosen people. Third is the importance of human life. In Judaism this is expressed through the principle of Pikuach Nefesh (saving a life), which overrides almost all other commandments. The unique aspect of pikuach nefesh is its dependence on assessing reality, allowing it to be used to justify completely opposite views.[[10]](#footnote-10) In Islam, the importance of human life is reflected in it being one of the conditions allowing the signing of a peace treaty or hudna when Muslims are militarily inferior, relying on the precedent when the Prophet Muhammad signed the Treaty of Al-Hudaybiya with the Quraysh in 628 when he was militarily and numerically weaker.[[11]](#footnote-11) The final barrier from the Muslim side is the principle of jihad, the holy war to impose Islam on the world. Today, in light of modern reality and international law, there is a consensus that jihad is an ideological-cultural struggle, except in one place where holy war in its literal sense must continue - Palestine, which was once under Muslim rule until its inhabitants were dispossessed of their land.[[12]](#footnote-12) These religious issues at the heart of the dispute over the DOP, coupled with political and security issues, created a situation where each side felt it was a victim of the process. Thus, one of the most basic conditions for a successful peace process was not met - the understanding of both sides that peace pays off more than violence.[[13]](#footnote-13)

This paper seeks to examine the role of religion on the peace-conflict axis around the DOP by examining the positions and arguments of six prominent religious leaders - supporters and opponents, Jewish and Muslim, on the Israeli and Palestinian sides, dealing with the theological and religious-moral aspects of the agreement. The analysis will be based on religious rulings and articles published by these figures, as well as newspaper excerpts from the relevant period, with reference to the political arena in which they operated.

**The National-Religious Sector: Between the Sanctity of the Land and the Sanctity of the People**

**Rabbi Yehuda Amital**

Rabbi Yehuda Amital (1924-2010, Romania-Israel) was the head of the Har Etzion Yeshiva, an influential thinker, founder of the political moderate religious-Zionist party Meimad, and a minister in the 26th government of Israel.[[14]](#footnote-14) In his public, educational and political path, he acted according to two fundamental principles: The first, "to heed the cry of a child." An expression based on a Hasidic tale, meaning that a believing Jew has an obligation to engage in public activity when needed to assist the general public. The second is Kiddush Hashem (sanctification of God's name) - any action that contributes to the recognition of the greatness and importance of Judaism. A sincere expounder and practitioner, Rabbi Amital heeded the cry of the child and therefore acted in the public and educational spheres against things he perceived as a 'desecration of God's name', things that undermining the importance of Judaism, even if it meant struggling against accepted rabbinical opinions.[[15]](#footnote-15) This thinking shaped his attitude towards the DOP.

In the 1992 elections, Meimad led by Rabbi Amital supported the Labor Party. With the exposure of the Oslo Accords, Rabbi Amital led Meimad's support for the move. After meeting with Rabin, the movement published an appreciation statement to the government for their "brave and heavy responsibility decision" to sign an agreement "opening a real opportunity for peace and preventing bloodshed." This statement of support was the first from the national-religious public, but it emphasized that it was promised there would be no harm to the settlements, no Palestinian state would be established, and certainly no negotiations over Jerusalem.[[16]](#footnote-16) His support was based on halakhic arguments similar to those presented by Rabbi Ovadia Yosef in his famous speech permitting territorial concessions for peace, which have been extensively researched and need not be elaborated on here. The innovation in Rabbi Amital's position was the moral and ethical arguments, which constituted the main reason for it.[[17]](#footnote-17)

In October 1993, Rabbi Amital published an article in which he clearly and systematically expressed his moral and ethical views regarding the DOP.[[18]](#footnote-18) The article opens with an inspiring Talmudic quote - "Great is peace, for the Torah was given to make peace in the world", but immediately afterwards comes the assertion: "This issue did not lead me to support the agreement... I am far from being carried away by the visionaries." Accordingly, Rabbi Amital's first rationale is realpolitik: The agreement is a fait accompli, and therefore "it is our duty to ensure that the problems arising from the DOP are addressed, and to care for the Jewish settlements, but we must convey to the government that the leadership in Judea and Samaria is interested in reaching an understanding within the existing situation."[[19]](#footnote-19) That is, the interest of the right-wing and the settlements is to join the government in order to take advantage of the interim period and Israel's position of power to create a permanent agreement that will ensure important principles such as "our consolidation in the area and the setting of security boundaries."[[20]](#footnote-20) Additionally, Rabbi Amital explained that "time is not working solely in our favor... and any political agreement between Israel and the Arabs must involve painful compromise."[[21]](#footnote-21) Therefore, an agreement now when Israel is in a position of strength is preferable to a future agreement against a more extreme enemy, after the loss of many lives, which will include even harder concessions of the holy Land.[[22]](#footnote-22)

But on a deeper level, the agreement is worthy because it constitutes a "test of values." The classic national-religious perception consists of three central interrelated values - the Torah of Israel, the People of Israel, and the Land of Israel. Gush Emunim, the dominant force in religious Zionism since the early 1970s, emphasized the "Land of Israel" out of a belief that the messianic destiny of the Jewish people would come through settlement throughout the Holy Land, even if against the will of part of Israel public. In contrast, and against the view of most rabbis in the public, Rabbi Amital developed a different perception that places the value of the "People of Israel" at the center, based on the belief that "a more just society...moral values in individual and communal life"[[23]](#footnote-23) that fulfill the destiny of the Jewish people to be a light unto the nations, are what will bring redemption.[[24]](#footnote-24) Even when the DOP brought the conceptual debate down to the practical level, Rabbi Amital continued to uphold the value of the "People of Israel." For Rabbi Amital, the concept of the "People of Israel" includes three dimensions, all three of which are in jeopardy in the current reality where Israel is engaged in constant struggle. The first is preserving human life, as Rabbi Amital expressed regarding the ongoing risk of loss of life as long as there is no security within Israel's borders, as early as 1978: "Can peace be a gamble?...The danger that Israel could face is a gamble!"[[25]](#footnote-25) The second is belief in the basic Zionist tenets, which the struggles Israel is engaged in erode: "Every casualty...weakens the Zionist devotion of masses of Jews in the Land of Israel, who believe in the accepted Zionist ideology that Zionism came to solve the problem of Jewish existence. Every war plant doubts in them about the righteousness of the path."[[26]](#footnote-26) And finally, the place of Judaism in Israeli society, which is harmed by the link between religion and tradition with militant perceptions and opposition to peace. Rabbi Amital argued that the unwillingness of the national-religious public to compromise on the ideal of settlement despite the risks involved harms "the very ability to identify with this perception" in Israeli society, and more seriously, "the very ability to identify with the way of the Torah", which is considered the leader of this ideal. In another article, Rabbi Amital described how "for years I have made every effort to prevent an identification between 'the opinion of the Torah' and political extremism...to clarify that there are different opinions in religious Judaism."[[27]](#footnote-27) The issue was close to his heart, because such alienation harms the influence of the Jewish tradition on the Israeli public, and accordingly harms the ability of Israel to be a light unto the nations, an essential step on the way to redemption.[[28]](#footnote-28) The DOP may remove the threat to these three dimensions, and is therefore worthy of support.

From all the above, it emerges that Rabbi Amital supported the DOP in a practical and sober manner, out of a desire to preserve Jewish lives and the unity of Jews around Judaism, based on renowned halakhic sources that in certain situations resolve the apparent prohibitions against ceding land to gentiles. His support relies on exploiting religious ambiguity to emphasize alternative sacred values - first and foremost the People of Israel - instead of the accepted value of the sanctity of the Land, which constitutes a barrier to peace. However, he is focused on his own group and its needs while preserving the inequality between the two sides, and emphasizes support for the agreement as a means to secure Israeli and settlement interests - something the Palestinian fear of which topped the list of arguments against the agreement. Additionally, although he grants an important place to peace as a religious value, he explicitly states that there is no connection between this belief and his support for the agreement, which remains practical and has a religious-moral dimension that is arguably not deep enough to allow the construction of a religious reconciliation process based on the political agreement.

**Rabbi Shlomo Goren**

One of the prominent voices for the value of the sanctity of the Land of Israel at that time was Aluf (Res.) Rabbi Shlomo Goren (1918-1995, Poland-Israel), the first IDF Chief Rabbi and the Ashkenazi Chief Rabbi of Israel, a fighter in Israel's wars and one of the important and pioneering halakhic authorities on issues of religion and state.[[29]](#footnote-29) The victories in Israel's wars, in which he took part, led him to believe that Israel was the 'beginning of redemption' and aroused in him expectations of a "religious and national spiritual upheaval."[[30]](#footnote-30) But the following years that brought with them Western materialism, religion-state conflicts, and the trauma of the Yom Kippur War, led him to declare: "There was a time when even the state was sacred in my eyes," no longer. His breaking point was the Oslo process - "Since the agreement, I no longer see it that way... because they are dividing it in two and handing it over to the gentiles."[[31]](#footnote-31)

There were three main reasons for Rabbi Goren's staunch opposition to the DOP. First, the sanctity of the Land of Israel. Apart from the halakhic prohibitions involved in transferring territories to Palestinian control, such as the prohibition of 'Lo Techonem' (do not allow them to thrive) and the nullification of the commandment to settle the Land,[[32]](#footnote-32) Rabbi Goren argued that throughout the existence of the Jewish people, the connection between them and God is inseparable from the connection to the Land of Israel, and therefore: "The Land of Israel [is] the soul of faith... Compromise on the wholeness of our Holy Land... constitutes an injury to the wholeness of the Torah and the Jewish faith."[[33]](#footnote-33) That is, ceding parts of the Land of Israel is forbidden halakhically and forbidden on religious and faith grounds.

Secondly, the principle of Pikuach Nefessh (saving Jewish lives). Israel is battling an enemy whose goal is to remove the Jewish presence from the land. This struggle is considered a 'Milchemet Mitzvah' (obligatory war), a halachic category that supersedes the principle of saving lives. In other words, not only is it permissible to retain control over the territories despite the potential risk to human life, according to some experts, but the risk posed by relinquishing territories in exchange for empty promises is far greater. Rabbi Goren determined that "experience proves that terror against us will never cease as long as Israel exists."[[34]](#footnote-34) In fact, withdrawal from territories would lead to an erosion of Israel's security, terrorism, and even war: "All our achievements in the Six-Day War are slipping from our grasp... Under the guise of peace with the arch-murderers, terror against us will intensify... until eventually a war breaks out between us and the Palestinian state that will be established."[[35]](#footnote-35) Therefore, the principle of saving lives leads to the conclusion that the agreement is invalid and unnecessary, "as long as we remain strong in spirit and power."[[36]](#footnote-36)

The third argument relates to that same strong spirit. Like Rabbi Amital, Rabbi Goren also identified a disintegration of the Zionist and Jewish spirit within Israeli society, but the manifestations he observed were fundamentally different. For Rabbi Goren, the DOP encapsulated every possible expression of this rot: first and foremost, the loss of the Zionist spirit is reflected in the dangerous recognition of Palestinian national claims, particularly by leaders within Israel, which is "a Jewish state in the Land of Israel... and not a state of Israelis and Palestinians who never had any national rights in the land."[[37]](#footnote-37) Another expression of this is the willingness to grant Israeli Arabs power in the Jewish state, as the government is supported by Arab members of Knesset "willing to lend a hand to the destruction of the state."[[38]](#footnote-38) Moreover, he ruled that this is halachically inadmissible, and therefore "the current government operates only by virtue of a minority of the people and loses its authority."[[39]](#footnote-39) Finally, the fact that Israel and its leaders are granting power and international legitimacy to their worst enemies: "Everything we have acquired over nearly a hundred years of Zionism in the Land of Israel is being undone before our eyes. And this is not the achievement of our enemies, but rather the Jews are undermining our rights and security in our homeland with their own hands... We have imposed terrorist organizations upon ourselves and have rebuilt the image of the arch-murderer who had already been eliminated in the world... who on one hand ostensibly signs a peace agreement with us, and on the other... declares morning and night that without a Palestinian state with Jerusalem as its capital, there will never be peace with Israel."[[40]](#footnote-40)

The halachic problems with the DOP, along with the moral flaws underlying it, led Rabbi Goren to his unequivocal conclusion: "The covenant the government has made with the head of the PLO terrorist organization blatantly contradicts the Torah of Moses our teacher... Every Torah-observant Jew is obligated to protest and demonstrate against these serious violations of the Torah of Israel by the Government of Israel."[[41]](#footnote-41)

In summary, Rabbi Goren vehemently opposed the agreement, employing religious practices of conflict inflammation – insisting on accepted religious principles that constitute a pretext for peace, foremost among them the sanctity of the land, while making the sanctity of the people and human life a means to the end of the land's sanctity; demonizing the other – both Palestinians and Israeli Arabs – in order to maintain boundaries and distance between societies; and denying legitimacy to the government and its actions in the peace process. Despite his willingness to relax the principle of the land's sanctity in certain cases, the DOP was perceived by him as a surrender of holy and strategically important territories in exchange for mere words, undermining Jewish law and the Jewish and Zionist resilience of Israeli society. Therefore, his attitude toward the DOP was that of a dangerous thing to be fought as much as possible, and certainly not to be allowed to progress, neither politically nor socially and religiously.

**The Islamic Movement in Israel - Between Recognition and Segregation**

The encounter of Arab Israelis with Arabs of the Territories after 1967 led to a renewed growth of ideas in the spirit of the Muslim Brotherhood, led by young Arab Israelis who were graduates of religious study centers in the Territories. This gave rise to the Islamic Movement (IM) in Israel in 1971. After a short period of involvement in terrorism and arrests, the movement shifted its focus to extensive religious and social activity, as well as political activity at the municipal level. Its goal is to establish "a society of Muslim believers that Islam is the source of strength and the future... a modern society but one that has values based on ideology"[[42]](#footnote-42) and to assist the Arab society in caring for its own needs that Israel does not provide at a sufficient level. One of the main dilemmas facing the IM in Israel since its establishment is its existence as an Islamic movement, in an area that was once part of the Muslim world, but is now under Jewish rule and majority. The different views on how to bridge the gap between ideology and reality created a rift within the movement, which led to its split into two factions in 1996 around the debate over whether to participate in elections for the Knesset. From the perspective of both factions[[43]](#footnote-43), Israel lacks principled legitimacy for its existence - not as a Jewish nation-state, since Jews are not a nation but a religion; and not over the land of Palestine, because the holy connection between the Children of Israel and the Land of Israel has expired after the acceptance of Islam; because this land is part of Dar al-Islam; and because it is Waqf land. However, they differ, as mentioned, on the implementation of this principle, and hence their different attitudes towards the DOP.[[44]](#footnote-44)

**Sheikh Abdullah Nimer Darwish**

Sheikh Abdullah Nimer Darwish (عبد الله نمر درويش, 1948-2017, Kafr Qasim) led the establishment of the IM in Israel and headed it until the split in 1996, when he became the leader of the Southern Faction. This is the more moderate of the two factions, also active in the national political arena through the Ra'am party. Sheikh Darwish and his students view Sharia as a pragmatic law that adapts itself to the complex reality: "Islamic jurisprudence has flexibility... Islam is built on principles suitable for situations of peace and war, strength and weakness... We will not behave as if we live in the awaited era of the Mahdi, but rather live in our time, in accordance with the forces and powers that influence the management of the world."[[45]](#footnote-45) The Southern Faction recognizes that Muslim citizens of Israel are currently in a state of weakness and minority, and acts accordingly. They created a distinction between the religious-historical right of the Jewish people over the Land of Israel, which in their view does not exist, and the de facto right resulting from reality. Since Israel exists, and Muslims live within it, Israel and its Jewish character must be recognized de facto, and operate within it by all means to achieve the supreme Islamic goal - preserving the identity and faith of Muslims and improving their lives. "I have no conflict... neither religious nor national, to uphold the law... Precisely as a minority we have an interest [in this]"[[46]](#footnote-46) said Sheikh Darwish. It is important to emphasize that this recognition is limited solely to within the Green Line, since beyond it, in the words of Sheikh Darwish, "it is an occupation that must be eliminated... Therefore, I understand the Palestinians... who rebel in every way."[[47]](#footnote-47) Thus, a certain recognition of the state allows for discussing agreements it makes.

Sheikh Darwish publicly supported the DOP on various occasions, emphasizing that it should lead to the establishment of a Palestinian state with East Jerusalem as its capital, because under the current conditions it is the best implementation of the interests of the Palestinian people: "The rules of Islamic jurisprudence are divided into the fixed principles of faith (*Achkam Thabitah*), and legal rulings subject to interpretation (*Achkam Ijtihādīyah*)... Is the Palestinian issue part of the principles of faith?... Faith, human, and homeland are presented before us. For the sake of faith there is a willingness to sacrifice human life, and for the sake of human wholeness, security and stability, the homeland may accommodate more than one people."[[48]](#footnote-48) Hence, his main reasoning was the understanding that compromise is necessary in order to preserve human life: "The entire Land of Israel, like Palestine from the River to the Sea, will bring both peoples to the battlefield. Whoever wants peace must cast dreams aside and compromise."[[49]](#footnote-49) Although all of Palestine is considered Waqf, it is preferable for part of it to be under Islamic rule rather than all of it under Jewish rule. In such a situation, neither side will get all their wishes, but they will get enough to appreciate the peace: "God has decreed that the two peoples live together. The Jews have an independent state, the Palestinians too are entitled to a state... Between the two neighboring states there will be a peace agreement, and after all the suffering I believe that both sides will respect the agreement."[[50]](#footnote-50)

Sheikh Darwish is aware that important muftis in the Muslim world will oppose his view, which indeed contradicts the accepted Shariah perception. According to Sharia, based on the Quran (8:61) "And if they incline to peace, then incline to it as well" and on the peace treaties Muhammad made with Quraysh in Hudaybiya and with other tribes, a peace agreement with the enemy is permissible as long as the Muslim ruler finds it beneficial. In Sheikh Darwish's view, the final ruling regarding matters concerning the Palestinians and the Arab citizens of Israel rests solely with them, as they see the reality clearly and will feel the consequences on their flesh. In his opinion, the benefit to the Palestinians in the agreement is clear since they are in an inferior position, and it grants them the advantages of autonomy and international recognition.[[51]](#footnote-51) This approach resonates with the relatively new legal genre from the school of Sheikh Qaradawi, called *Fiqh al-Aqalliyyat* (Jurisprudence of Minorities), which deals with special laws tailored for Muslims living as minorities in Western democratic countries. Sheikh Darwish and his successors in the Southern Faction believe that even regarding Arab citizens of Israel and Palestinians, there is room for great flexibility and different rulings from the accepted ones, in order to achieve the *Maqasid a-Shari'ah* (the objectives of Sharia), which is to benefit Muslims.[[52]](#footnote-52)

The third rationale is groundbreaking, in which Sheikh Darwish presents a principled moral position that "cultural dialogue is the approach of the strong"[[53]](#footnote-53) and this is the proper and effective way for the Palestinian struggle. Moreover, he wishes to act in order to create "a religious dialogue that contributes to true peace between Palestinians and Israelis"[[54]](#footnote-54), to prevent Islam from being perceived as an obstacle to peace, when it is a religion of peace and tolerance towards the other.[[55]](#footnote-55) The Sheikh summarized his various efforts for peace and inter-religious dialogue with the words - "The name of God is peace. So what, I won't support the name of God?!"[[56]](#footnote-56)

However, despite his pragmatic positions and his statement about the importance of peace as a religious value, Sheikh Darwish and his successors in the Southern Faction do not waive basic demands for a 'just and fair' peace, which most Israelis view as a red line, such as the demand for the division of Jerusalem and the right of return; as well as the right to self-determination, meaning that a Palestinian state will arise alongside Israel, which will become a state of all its citizens.[[57]](#footnote-57) Additionally, the leader of the IM does not abandon his future dream of an Islamic Caliphate that will rule over the entire Fertile Crescent, and emphasizes to his Jewish interviewer: "You think you're the strong one in the Middle East? I am the strong one. I have a billion Muslims, all believing like me... in the Muslim ocean you are a minority."[[58]](#footnote-58)

Like Rabbi Amital, Sheikh Darwish exploits religious ambiguity in order to promote values that establish the peace process on a religious basis, emphasizing human life over the sanctity of the land. On the other hand, he does so while looking at the interests of his own group in the given reality; expresses understanding for radical and extreme factors; and does not waive demands that for many in the Jewish public are considered threatening to their very existence, or to the future vision of complete victory. From his various statements, it seems he harbors suspicion and distrust towards Israel's good intentions, and similar suspicion from Israel towards his own intentions is also logical. In this way, it is impossible to lead a reconciliation process among a public filled with suspicions about the opponent's intentions and goals, and raised on religious worldviews that negate peace. And yet, despite the significant shortcomings in his position, Sheikh Darwish's main innovation remains intact - making peace - according to his complex perception of this concept - into a sacred religious value in an essential and independent manner.

**Sheikh Raed Salah**

The other side of the coin is the militant Northern Faction that was outlawed in 2015, led by Sheikh Raed Salah (رائد صلاح أبو شقرة, born 1958, Umm al-Fahm). This faction seeks to build an "independent society" (al-Mujtama' al-Esami) that will maintain complete separation from the Zionist entity and protect the Muslim faith. He also deals with the denial of the Jewish and Israeli connection with Jerusalem and the Temple Mount, which has led to Sheikh Salah's arrest several times for incitement. For the Northern Faction, recognition of Israel even de facto is illegitimate, because between the IM and Israel there is "a conflict over the very existence and not a conflict over borders."[[59]](#footnote-59) From an Islamic historical perspective, Israel's current reality does not threaten them, and they are confident that the Jewish state will disappear and an Islamic Caliphate will rule from the river to the sea: "We say to all the oppressors: Learn from those who preceded you in the past. Many oppressors have tried to expel us from our land. The oppressors dissipated, while we remained steadfast in our place."[[60]](#footnote-60)

Considering this dogmatic position, the starting point of the Northern Faction in the discussion on the DOP is that there is no discussion. Israel, which is Dar al-Harb (territory of war), is illegitimate. Consequently, any claim that Arab Israelis or Palestinians have a different right to conduct themselves in terms of Sharia due to Israel's influence on them is invalid, since it recognizes its existence and even incorporates it as an Islamic legal consideration. Thus, there is no doubt that the agreement with it lacks any right to exist. Activists of the movement identified with Sheikh Salah actively opposed the DOP, even calling it a "false peace", "treason", and a "second Nakba".[[61]](#footnote-61) Sheikh Salah himself participated in a large protest rally in Gaza in September 1993, and was also conspicuously absent from a delegation of Arab Israelis that welcomed Arafat upon his entry into Gaza in July 1994.[[62]](#footnote-62)

The main rationale of Sheikh Salah and is drawn from the position of Sheikh Qaradawi, the unofficial spiritual leader of the Muslim Brotherhood. Their claim is that there was no 'inclination towards peace' from Israel, and that the agreement has no achievement, maslaha, for the Palestinians - but rather the total opposite: "If Oslo succeeds, it will be the final nail in the coffin of the Palestinian cause. The changes and concessions are always in favor of the Israeli side, at the expense of the Palestinian side in a position of weakness... Oslo is... surrender and not peace."[[63]](#footnote-63) In such a situation, the DOP cannot be equated with the Treaty of Al-Hudaybiya and there is no basis to permit it, even if the issue of recognizing Israel did not exist.[[64]](#footnote-64)

Another significant rationale presented by Sheikh Salah is the religious, national and Arab danger of blurring boundaries with the Israeli public and state. After receiving Palestinian autonomy, Arab Israelis may feel that the conflict has ended, hostility towards the Zionist establishment will decrease, and they will focus efforts on finding solutions to their plight through integration into Israeli society, since the Oslo Accords did not bother to address them. This would blur the distinct national and religious identity, and Arab Israelis would undergo cultural assimilation into Israeli society.[[65]](#footnote-65)

As expected, Sheikh Salah firmly stands by all the principles that constitute an obstacle to peace from an Islamic perspective, chief among them the sanctity of the land and maintaining the supremacy of Islam and Muslims, and emphasizes the importance of separation between different groups. His basic perception completely denies the existence of Israel, and in his actions for Al-Aqsa he also engages in harsh demonization of the Jewish side. There is no doubt that his figure serves as an example of the use of religion as a tool for fueling the conflict.

**Hamas - Oslo, Deception or Reality**

**Sheikh Ahmed Yassin**

Under Israeli rule after 1967, the Muslim Brotherhood branch in the Gaza Strip developed into a broad infrastructure of religious-social aid organizations. With the outbreak of the First Intifada in early December 1987, its leaders established an independent military organization affiliated with the Muslim Brotherhood, called Hamas - Harakat al-Muqawama al-Islamiyya (Islamic Resistance Movement). The growing organization became a rival to the secular-nationalist PLO and Fatah, and inscribed on its banner the jihad struggle for the homeland in the name of religion: "From the viewpoint of the Islamic Resistance Movement, nationalism (al-wataniyya) is part of the religious philosophy" (Hamas Charter, Article 12). For Hamas, the liberation of Palestine is the first necessary step towards the Islamization of the entire Arab world.[[66]](#footnote-66) The head of the organization was Sheikh Ahmed Ismail Yassin (أحمد إسماعيل ياسين, 1936-2004, Al-Jura-Gaza, assassinated by Israel after the deadly attacks carried out by his organization during the Second Intifada), a senior Muslim Brotherhood figure in the Strip, a charismatic preacher considered a saint and well-versed in the Quran - despite his disability and lack of formal religious education. During the period in discussion, Yassin was in an Israeli prison (1991-1997), but even from there he continued to chart the organization's path and publish opinions and religious rulings, and popular support for him grew.[[67]](#footnote-67)

Hamas consistently opposed any negotiation with Israel because its existence is deemed illegitimate, and any discussion with it would be considered de facto recognition. When the Oslo Accords were announced, Hamas issued an official statement condemning the "treacherous knife"[[68]](#footnote-68) that the PLO had stabbed in the nation's back. The organization had numerous reasons to reject the Oslo Accords, which threatened its standing among the Palestinian public as a movement based on armed struggle against the Zionist occupation and claiming the right to represent the Palestinians. Among the prominent geopolitical reasons reiterated in the organization's statements and articles published by figures associated with it: the timing in which the agreement was imposed on the Palestinian side in a state of significant weakness; the secretive and unbecoming manner in which it was achieved; its ambiguous phrasing that could be interpreted to the Palestinians' detriment; the willingness to renounce jihad and act against those engaged in it; fueling internal disputes and turning the PLO into an agent that would fight against its fellow Palestinians on Israel's behalf; deferring discussion of core issues such as Jerusalem and the settlements, effectively recognizing the current situation; the lack of true sovereignty for the envisioned Palestinian autonomous entity; and the almost complete economic dependence of this entity on Israel.[[69]](#footnote-69) In short, "the agreement is simply another form of occupation... the Zionist entity offers us only crumbs"[[70]](#footnote-70) intended to achieve security for Israel.

Even disregarding the geopolitical shortcomings of the agreement, it is invalid for a simple reason: betrayal of Islamic principles. In an official statement by the organization, it was written: "We believe that Palestine is a holy land", and as waqf land, no Palestinian ruler or generation has the right to relinquish a grain of it, and therefore "a curse shall befall whoever neglects it and hands it over as a gift to the [Jews] enemies of humanity."[[71]](#footnote-71) From the Shari'a legal status of Palestine is derived the way to liberate it: "Jihad is the way to victory."[[72]](#footnote-72) The DOP does not meet the Shari'a conditions for peace agreements because it is part of a permanent peace process, includes recognition of Israel and its right over Palestinian land, and does not grant clear advantages to the Palestinians. Therefore, comparisons to the Treaty of Al-Hudaybiya are inappropriate. Additionally, the DOP is detached from the Islamist worldview that sees Israel as a foreign implant doomed to perish, and instead grants it breath for another period that will prolong the suffering of the Palestinians. After about a year of digesting the new reality, Hamas unleashed a wave of deadly attacks inside Israel, aimed at undermining the peace process and shaking the standing of the nascent Palestinian Authority. However, the organization was careful to show that it does not entirely reject peace. In 1993-1996 (and later), Sheikh Yassin and other senior figures declared their readiness for a long-term *Hudna* (ceasefire), subject to several conditions: Israel evacuates settlements and withdraws to the 1967 lines; recognizes an independent and sovereign Palestinian state with East Jerusalem including Al-Aqsa as its capital; compensates the refugees and their descendants irrespective of the right of return; and immediately releases all prisoners. For Hamas, the *hudna* is part of the concept of *Jihad*, as its purpose is to accumulate strength in order to reach the next stage of *Jihad* stronger, even if in the next generation: "The term *Hudna*...expresses the continuity of the conflict...*Hudna* is political and military action linked to an assessment of the situation..., and to the supreme interests of the [Muslim] nation." And in contrast to the Oslo accords, a *Hudna* as proposed by Hamas "does not appear in Shari'a history in the context of surrender."[[73]](#footnote-73) This is not about moderation or a desire to resolve the absolute, existential conflict with Israel, but rather an adoption of the phased theory, as evidenced by the conditions set by the organization, which Israel would find very difficult to agree to due to the threat they pose to its security and character.[[74]](#footnote-74)

Despite its vehement opposition to the Oslo process and the worldview it was based on, and despite Hamas's religious refusal to recognize an unjust ruler who derives authority from the enemy, the message of Sheikh Yassin and the political bureau remained one of Palestinian unity. "The Zionist enemy is the root and basis of all the suffering of our people"[[75]](#footnote-75) and therefore the organization would not fulfill the enemy's wishes to weaken the Palestinian struggle through fratricidal conflict.[[76]](#footnote-76) The organization's complex stance towards the PLO and the Oslo process was reflected in the issue of the elections for the Palestinian Legislative Council held in January 1996. On one hand, Sheikh Yassin and leaders of the military and political wings repeatedly stated that Hamas would not participate in elections seen as a referendum on the Oslo Process, nor take part in institutions arising from agreements it rejects. On the other hand, Sheikh Yassin described how the elections could grant the movement significant power to protect its values and institutions, force the PLO to address its positions, and allow it to promote its worldview as the main opposition force. Ultimately, Hamas did not officially participate in the elections. Given that a significant electoral achievement was not guaranteed, and that the Council's powers under Arafat's shadow were limited, the organization saw no need to join a "system they hoped to replace for the sake of coexistence with a state they hoped to destroy"[[77]](#footnote-77) and thereby abandon the ideology of complete non-recognition of Israel. However, the organization was active in arenas of 'Palestinian public interest', such as local elections, labor committees and student unions, in order to consolidate its power separately from the Palestinian Authority.[[78]](#footnote-78)

In summary, Hamas's position is expressed in the words of Sheikh Yassin: "Peace is the demand of every human being... We want peace more than anyone else in the world"[[79]](#footnote-79) but only a peace that is fair and just – the Palestinian term meaning the long-term obliteration of Israel, and in Hamas's case, the establishment of an Islamic Palestinian state on its ruins. The DOP, as stated, is far from aiding this goal, and even jeopardized Hamas's raison d'etre. Despite its insistence on preserving Palestinian unity, Hamas refused to recognize the new reality and take part in it. By employing religious principles that inflame and sanctify the conflict, the organization persisted in the view that the only path to peace is jihad leading to an independent Muslim Palestinian state where Jews would enjoy religious freedom as *Ahal al- Dhimma*, and utilized terror in its –successful- efforts to undermine the agreement.

**Sheikh Imad Falouji**

Sheikh Imad Abd al-Hamid al-Falouji (عماد عبد الحميد عبد الهادي الفالوجي, born 1963, Jabalya) was a senior Hamas member and co-founder of the organization's military wing, a member of the Palestinian parliament, Minister of Communications, and advisor to Arafat. With the arrest of Sheikh Yassin and the Hamas leadership during the First Intifada, Falouji was among the prominent figures leading the reconstruction of the organization and its institutions, and he too was imprisoned from 1991 to 1994. During his incarceration, Falouji engaged in Islamic publicist writing, expressing the common claims in Hamas circles against the DOP, but already then cracks began to emerge between him and Hamas's political bureau, which would later lead him to leave the movement.[[80]](#footnote-80)

The time in prison cultivated independent thinking in Falouji, whose first principle was the importance of dialogue between the different streams in Palestinian society, and his involvement in this issue in the political arena will be elaborated on. Falouji saw Palestinian cooperation as an integral part of the struggle against Israel, because in his view one of Israel's long-standing strategies - even in the Oslo process - was sowing division and infighting within Palestinian society in order to lead to its disintegration. As part of his long-standing activity in this area, he wrote a book on the concept of dialogue in Islam and established the Adam Center for Intercultural Dialogue.[[81]](#footnote-81) The second principle in his view was the need and necessity to transform Hamas into a movement that adapts itself to circumstances and operates in the political arena. Falouji foresaw a situation in which the peace process (in Washington, at the time) would progress and Hamas's popularity would suffer. In such a situation, he argued that there would be a critical need for coordination with the PLO, and even for the establishment of a separate political wing that would preserve Hamas's ideology but also operate and influence decision-making centers - "religiosity does not contradict engagement in politics... and a non-extremist political practice in its implementation."[[82]](#footnote-82) This approach guided Falouji in the continuation of his path.[[83]](#footnote-83)

With the publication of the DOP, Hamas refused to recognize this 'betrayal', or to take part in the continuation of the negotiations and the building of the Palestinian Authority. Nevertheless, shortly after Arafat returned to Gaza, Falouji, as a senior Hamas member, created a line of communication with him. At the end of 1995, Falouji was appointed to head the Palestinian Dialogue Office of the Palestinian National Council,[[84]](#footnote-84) and worked to mediate between Hamas and the PLO during that year. In November 1995, leaflets were distributed throughout Gaza declaring that Falouji had been expelled from Hamas due to political activity that deviated from the accepted ideology of the movement, a step that led Falouji to decide to run in the elections for the Legislative Council in January 1996. After being elected, he worked to create an Islamic bloc that would promote ideas in the spirit of the movement he came from. In March 1996, he was surprisingly appointed Minister of Communications... According to him, during his visits with Sheikh Yassin, the latter expressed support for his appointment and actions in favor of dialogue. Even during his tenure as minister, Falouji continued to serve as a mediator between Hamas and the Palestinian Authority in many cases. He defined himself as "a prominent representative of the ideology of the Islamic movement, even if not a representative of Hamas."[[85]](#footnote-85) He served as minister until 2002, when he went on to serve as an advisor to Arafat until the latter's death in 2004.[[86]](#footnote-86)

How did these roles align with Sheikh Falouji's Islamist ideology? First, his basic stance toward the DOP. While Hamas rejected the agreement entirely, Sheikh Falouji's position was more nuanced: He did not view the DOP as a peace agreement, and therefore, despite opposing it, he did not see recognizing its reality as a retreat from Hamas's basic principles, including non-recognition of Israel. Moreover, it brought about significant achievements: the return of the exiles from Tunisia as a prelude to the return of all refugees, as he quotes Arafat – "If the DOP did not lead to any result other than the return of the leadership and thousands of Palestinians to their homeland, this would be enough for us... This is the beginning of the return of all refugees";[[87]](#footnote-87) the beginning of the liberation of the homeland – "The Authority's aspiration is to liberate all of Palestine, and much [was achieved in Oslo] on the way to liberating the entire territory";[[88]](#footnote-88) the beginning of the building of the Palestinian state – "The Palestinian state began to take root in the land, and the wheel cannot be turned back";[[89]](#footnote-89) and finally, "the leaders of the Zionist enemy recognized [us], and in my opinion, this is the most important thing we achieved."[[90]](#footnote-90) In his view, it would have been better to refer the discussion regarding the Oslo process to prominent religious scholars who understand that in complex situations and certain contexts, the Sharia allows different rulings than the norm, for the sake of Muslim interests – in parallel to the continuation of the struggle: "As long as there is occupied Arab land, and this enemy exists... we have not yet reached a peace agreement with Israel... and I personally do not think we will reach a peace agreement."[[91]](#footnote-91)

Acordingly, Sheikh Falouji believed that Islamic activity in the political arena is permissible and even important. First, it operates through means appropriate to the current stage of the struggle in order to reduce the gap between reality and the vision. Second, it benefits Hamas itself, as it allows for mitigating the damage of Oslo, strengthening the Islamic outlook among the public, serving as a meaningful opposition enforcing true democracy, preserving Hamas's power and positions, and gaining international legitimacy. Finally, in line with the principles of cooperation and dialogue that guided Falouji, he explained that such activity on their part would also contribute to Palestinian society as a whole. "The President always opened the way for everyone to participate in building the Authority's institutions... in order to benefit from the diverse capabilities existing among all groups of the Palestinian people."[[92]](#footnote-92)

Sheikh Falouji was also engaged in interfaith dialogue and participated in several conferences that brought together Rabbis and Imams in the hope that religious leaders would lead to the resolution of religious conflicts. In his words, there is no conflict between religions, but rather a political conflict against the occupation, and it is the duty of religious leaders to work to stop extremism and support politicians striving for peace.[[93]](#footnote-93) Despite these optimistic calls, the figure of Sheikh Falouji is complex, and does not bring a true gospel. Falouji never categorically disavowed acts of terror, nor did he express support for the Oslo process (no religious figure identified with Hamas did so outright). As someone who combines a religious and political persona, he is not dichotomous. Although the DOP was invalid from the outset, once it exists, it must be accepted after the fact. The positive points he saw in the process are those that constitute a disaster for Israel – the process symbolized for him the beginning of a path that would continue further and further, through both negotiation and armed struggle, until the goal of a complete Palestinian state is achieved. In his view, in the given reality, one must act to preserve Palestinian unity as a tool in the struggle against the occupation and to strengthen the power and influence of Hamas. Sheikh Falouji presents a surprising moderation for a senior Hamas figure, but it does not contain sufficient inner substance, but rather pragmatism and a sober political vision ultimately aimed at complete victory.

**Summary and Conclusions**

The DOP was the beginning of a process that sought to end the identity conflict through interim agreements based on liberal paradigms and material incentives between political elites, which would lead in the future to popular reconciliation. Despite religion playing a significant role in identity conflicts in general, and in the Israeli-Palestinian one in particular, religious leaders were not given a place at the negotiating table, and its leaders did not take into account the religious barriers to peace, despite – or perhaps because of – their intensity and prevalence. One of the recurring conclusions in many studies on the Oslo process is that this mismatch between the nature of the conflict and the nature of the path that attempted to resolve it was among the leading factors in its failure. Although religious leaders did not participate in the process, they did express their opinions on it once it was published. This study surveyed the halakhic and value-based opinions of six religious leaders: Rabbi Amital, Sheikh Darwish, and Sheikh Falouji – an Israeli Jew, an Israeli Arab, and a Palestinian, respectively, who supported the DOP; and facing them, Rabbi Goren, Sheikh Salah, and Sheikh Yassin, an Israeli Jew, an Israeli Arab, and a Palestinian, respectively, who opposed it. The research shows that on both sides of the divide, religious leaders perceived reality as it was. However, while as expected, the opposing religious leaders clung to a dichotomous and uncompromising ideology stemming from a belief in the group's superiority and its messianic future, the religious leaders who expressed support for the DOP interpreted the same reality in a more pragmatic way, open to compromise and complexities. As expected, the opponents emphasized the accepted religious principles that constitute a 'barrier to peace', and utilized religion's social influence tools to further sanctify the land and nation over the sanctity of individual human life, to emphasize the alienation between societies, to delegitimize those engaged in the peace process, to encourage active efforts to stop the process, and in general to inflame the conflict and prevent the perception of peace as the best alternative. In contrast, the religious leaders who expressed support for the DOP utilized the characteristic of religious ambiguity to justify their interpretation that led those same familiar theological and halakhic sources to a different interpretation, one that prioritizes their sanctity over alternative values and supports the resolution of the conflict, at least temporarily. One conclusion from this study, then, is the criticalness of religious ambiguity, especially on these issues that straddle the line between theoretical religion and its application to reality, as a characteristic that allows moderate religious leaders to ground their views in the eyes of the masses and make them legitimate among growing circles over time and through educational and explanatory efforts.

The three supporting religious leaders worked extensively for interfaith dialogue and turning religion into a uniting factor, and regarding the DOP, they effectively utilized the characteristic of religious ambiguity. Nevertheless, the main conclusion of the research is that even the religious leaders who supported the DOP used religious methods that preserve and even inflame conflict, rather than methods that create religious reconciliation, and thus the agreement's development into a process of reconciliation was also prevented from their side. The atmosphere of suspicion and distrust, alongside the implicit or explicit aspiration for a future complete victory despite the temporary compromise, are substantial flaws especially in the positions of Sheikh Darwish and Sheikh Falouji. Secondly, the discourse of the three religious leaders is fundamentally identical and based primarily on a realistic political approach. It seems they internalized the secular and pragmatic nature of the DOP, and despite their religious stance that could have been harnessed for peace - as Sheikh Darwish partially expressed - they judged the agreement according to its own terms, such as in-group interests, achievements, control, borders, security, sovereignty and resources. This discourse is flawed and lacks the spiritual essence whose role is to strengthen the political peace process and build it into an inclusive process of reconciliation, including interfaith peace. However, it is important to understand that in the complex reality of societies mired for decades in an ongoing existential identity conflict; the high presence of religious barriers to peace in this conflict; and the danger of delegitimization of their views and personas by radical religious leaders, even moderate religious leaders cannot suddenly present a substantive religious position supporting a peace process and the concessions and compromises included in it. Reliance on practical justifications is the only possible way in such a complex situation to gradually establish their position, which, although partial, is an important milestone on the journey to prove that the values of religion and sanctity do not contradict the values of peace and reconciliation. Perhaps in the future, proper management of a political peace agreement backed from the outset by the broadest possible religious support, and leading to a significant interim period in which extensive and sincere educational and explanatory efforts are made in both societies, will further prove that religion and peace complement each other.

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1. Declaration of Principles on Interim Self-Government Arrangements with the PLO; Hirschfeld, *Oslo: A Formula for Peace*, pp. 277, 279; Karsh, *"The Oslo War,"* pp. 7–26.

   The DOP exemplified the implementation of the liberal peace paradigm on the Israeli-Palestinian conflict. For further reading: Shillon, *The Agony of the Left*, pp. 15, 41-44; Peres, *The New Middle East*, pp. 73-92; Maoz and Russett, "The Democratic Peace," p. 25; Feldman, "Economic Peace: Theory vs. Reality," p. 17; Rynhold, "The Failure of the Oslo Process," pp. 2-26. [↑](#footnote-ref-1)
2. Abu-Nimer, *Dialogue, Conflict Resolution, and Change*, pp. 11-13; Bar-Tal and Raviv, *The Comfort Zone of a Society in Conflict*, pp. 13-109; Bar-Tal, Raviv and Abramowitz, *In the Eye of the Beholder*, pp. 23-120; Gopin, *Holy War, Holy Peace*, pp. 3-6, 58-90; Handelman, *Conflict and Peacemaking in Israel-Palestine*, pp. 3-24; Smock, *Religious Contributions to Peacemaking*, pp. xvi-xix; Bar-Tal, "From Intractable Conflict through Conflict Resolution to Reconciliation", pp. 351-365; Kelman, "The Israeli-Palestinian Peace Process and Its Vicissitudes", pp. 287-303; Melchior, "Establishing a Religious Peace", pp. 1-9; Scheffler, "Interreligious Dialogue and Peacebuilding", pp. 173-187; Waxman, "Identity Matters", pp. 133-156. [↑](#footnote-ref-2)
3. Smock, *Religious Contributions to Peacemaking*, pp. xvi-xix; Bar-Tal, "From Intractable Conflict", pp. 351-365; Fox, "Towards a dynamic theory of ethno-religious conflict", pp. 431-463; Landau, "Healing the Holy Land", pp. 3-12; Melchior, "Establishing a Religious Peace", pp. 1-9; Scheffler, "Interreligious Dialogue and Peacebuilding", pp. 173-187; Waxman, "Identity Matters", pp. 133-156. [↑](#footnote-ref-3)
4. Appleby, *The Ambivalence of the Sacred*; Eisen, *The Peace and Violence of Judaism*; Nardin, *The Ethics of War and Peace*. [↑](#footnote-ref-4)
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6. Deuteronomy 7:2; Nachmanides, Hassagot (on Maimonides Sefer Hamitzvot), 4; Maimonides, *Mishneh Torah* *- Melachim uMilhamoteyhem (kings and wars)*, 5:12, 7:4,15, *Avodah Zarah* *(Idolatry)* 10:4-6; Joseph Karo, *Shulchan Aruch*, Orach Chaim 329:6; Joseph Babad*, Minchat Chinuch* 425; Avraham Yeshaya Karelitz, *Chazon Ish*, on Eruvin 114a. [↑](#footnote-ref-6)
7. Badir, "Ichlal al-Salam fi al-Ard al-Mukadasa (Achieving Peace in the Holy Land"); Reiter, "All of Palestine is Holy Muslim Waqf Land", pp. 173-197. [↑](#footnote-ref-7)
8. Mellamed, *Pniney Halacha - Collected Writings on the People and the Land.* [↑](#footnote-ref-8)
9. Bartal, "Reading the Qur'an", pp. 392-408; Reiter, "All of Palestine is Holy Muslim Waqf Land", pp. 173-197; Shemer, "Sheikh Yusuf Al-Qaradawi on the Theological Dimension of the Israeli-Palestinian Conflict". [↑](#footnote-ref-9)
10. *Talmud*, Sanhedrin 74a, Yoma 85a; Maimonides, *Mishneh Torah - Yesodei ha-Torah (‘Foundations of the Torah’)* 5:1, Shabbat 2:3; Joseph Karo, *Shulchan Aruch*, Orach Chaim 329:1. [↑](#footnote-ref-10)
11. The agreement was signed between Muhammad and the people of Quraysh in 628, and was violated two years later when the Muslims conquered Mecca. On one hand, the Treaty of Al-Hudaybiya justifies making a long-term peace agreement under conditions of inferiority that includes terms unfavorable to Muslims and recognition of the infidel enemy who dispossessed the Muslims, just like Israel for the Palestinians. On the other hand, the Treaty of Al-Hudaybiya had significant benefits for Muhammad and the Muslim community, including recognition of Islam, and the dissolution of the alliance between Mecca and Khaybar, consequently allowing the latter's conquest and gaining wealth and prestige. Therefore, many interpret it as a ruse meant to be violated from the outset. In this vein, the agreement was mentioned by Arafat in a controversial 1994 Johannesburg speech, <https://bit.ly/3j0JfnV>. In addition, there were other precedents of Muhammad and his successors making peace treaties with other idolaters. For further reading: Hererah and Karsel, *Jihad -* *Between Law and Practice*, pp. 94-97 Khadduri, *War and Peace in the Law of Islam*, pp. 51-133; Reiter, *War, Peace and International Relations in Contemporary Islam*, pp. 14-57; Al-Qaradawi, *Fiqh al-Jihad ("Jurisprudence of Jihad")*; Adlan, "Fataw-I al-Sheikh Ibn Baz an al-Tatbi" ("Ibn Baz's Fatwa on Normalization"); Badir, "Ichlal al-Salam fi al-Ard al-Mukadasa (Achieving Peace in the Holy Land"); Jackson, "Jihad and the Modern World", pp. 1-26; Kelsay, "On Fighting as An Individual Duty", pp. 374-383; Polka, "Centrists VS Salafists", pp. 10-25. [↑](#footnote-ref-11)
12. Hererah and Karsel, *Jihad -* *Between Law and Practice*, pp. 86-91, 96, 171-190; Khadduri, *War and Peace in the Law of Islam*, pp. 51-133; Reiter, *War, Peace and International Relations in Contemporary Islam*, pp. 29-57, 108-123; Al-Qaradawi*, Fiqh al-Jihad ("Jurisprudence of Jihad")*; Sarsour, "Filastin Bina al-chakika Wa-al-waham" ("Palestine Between Reality and Illusion"); Badir, "Ichlal al-Salam fi al-Ard al-Mukadasa (Achieving Peace in the Holy Land"); Adlan, "Fataw-I al-Sheikh Ibn Baz an al-Tatbi" ("Ibn Baz's Fatwa on Normalization"); Jackson, "Jihad and the Modern World", pp. 1-26; Kelsay, "On Fighting as An Individual Duty", pp. 374-383; Polka, "Centrists VS Salafists", pp. 10-25. [↑](#footnote-ref-12)
13. Shillon, *The Agony of the Left*, pp. 260-269, 286; Hancock and Weiss, "Prospect Theory", pp. 427-452; Hassassian, "Why Did Oslo Fail?", pp. 114-132; Kelman, "The Israeli-Palestinian Peace Process", pp. 287-303; Smooha, "The Implications of the Transition to Peace for Israeli Society", pp. 26-45. [↑](#footnote-ref-13)
14. Reichner, *Be'emunato* ("in his faith"), pp. 5-35, 50-70, 175-210, 223-245. [↑](#footnote-ref-14)
15. Amital, *Ve'haaretz natan li'Bnei Adam*, p. 149; Amital, "The Religious Meaning of Israel." [↑](#footnote-ref-15)
16. The meeting was on 9.22.1993. Reichner, *Be'emunato*, pp. 193-207. [↑](#footnote-ref-16)
17. Yosef, "Returning Parts of the Land of Israel in a Life-Threatening Situation". For more see Schuz, *Attitudes of Jewish and Muslim Religious Leaders Towards the Declaration of Principles.* [↑](#footnote-ref-17)
18. Amital, "There is Hope for the Zionist Settlement in Judea and Samaria." [↑](#footnote-ref-18)
19. Reichner, *Be'emunato*, p. 204 [↑](#footnote-ref-19)
20. Amital, "There is Hope for the Zionist Settlement in Judea and Samaria." [↑](#footnote-ref-20)
21. Ibid. [↑](#footnote-ref-21)
22. Reichner, *Be'emunato,* p. 203. [↑](#footnote-ref-22)
23. Amital, "The Religious Meaning of Israel." [↑](#footnote-ref-23)
24. "Minister Rabbi Yehuda Amital - Speeches", pp. 3-14, 93; Inbari, *Messianic Religious Zionism*, pp. 75-79; Reichner, *Be'emunato*, pp. 143-174; Bazak, *VeHay Bahem*; Inbari, "When Prophecy Fails?", pp. 303-325. [↑](#footnote-ref-24)
25. Reichner, *Be'emunato*, p. 145. [↑](#footnote-ref-25)
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29. Goren, *With Might and Power*, pp. 21-114; Mishlov, *In the Eye of the Storm*, pp. 4-12; Hollander, "Dual Loyalty to Halakha and State and Its Solution," pp. v-vii. [↑](#footnote-ref-29)
30. Goren, *Har HaBayit: Meshiv Milchama*, p. 5. [↑](#footnote-ref-30)
31. Quote from Sima Kadmon, "I Believe I Have Divine Supervision," *Maariv* 12.24.1993, p. 6. Mishlov, *In the Eye of the Storm*, pp. 68-116; Mishlov, "Rabbi Shlomo Goren's Zionist Outlook," pp. 81-106; Hollander, "Dual Loyalty to Halakha and State," pp. v-xxxiv. [↑](#footnote-ref-31)
32. Goren, *Torat HaMedina*, pp. 130-139, 152-158; Goren, "The Holy Land and Saving Life", pp. 11-22; "Halakhic Responsa of Rabbi Shlomo Goren," pp. 58-60, 68-70. [↑](#footnote-ref-32)
33. Goren, "Between a Peace Agreement and True Peace," pp. 144-147; Goren, *Torat HaMedina*, pp. 130-139, 152-158. Interestingly, despite this, Rabbi Goren supported peace with Syria in exchange for parts of the Golan Heights, which in his view were not part of the Land of Israel, subject to stringent security guarantees, in order to remove the main security threat Israel faced in its early days. For more see - Goren, "Between Judea, Samaria and the Golan from a Halakhic Perspective," HaTzofeh, 4/26/1991, p. 4; Mishlov, *In the Eye of the Storm*, pp. 114-116; Mishlov, "Rabbi Goren's Position on Transferring Territories for Peace", pp. 254-255. [↑](#footnote-ref-33)
34. "Halachic Issues Related to the Peace Process", p. 27. [↑](#footnote-ref-34)
35. Goren, *Torat HaMedinah*, p. 134. [↑](#footnote-ref-35)
36. Goren, "Between a Peace Agreement and True Peace," p. 147; Goren, "The Holy Land and Saving Lives," p. 17. [↑](#footnote-ref-36)
37. "Halachic Issues Related to the Peace Process", p. 26. Also "Rabbi Shlomo Goren - Articles: Does a Palestinian People with National Rights Exist?", pp. 1-10; Goren, *Torat HaMedinah*, pp. 150-158. [↑](#footnote-ref-37)
38. "Halachic Responsa of Rabbi Shlomo Goren," pp. 53-58. Also "Halachic Responsa of Rabbi Shlomo Goren," p. 70. [↑](#footnote-ref-38)
39. "Halachic Responsa of Rabbi Shlomo Goren," p. 70. [↑](#footnote-ref-39)
40. "Halachic Issues Related to the Peace Process", p. 26. [↑](#footnote-ref-40)
41. "Halachic Issues Related to the Peace Process", pp. 50-51. [↑](#footnote-ref-41)
42. A quote by Ibrahim Sarsour, in "al-Janubiati tarajue hisabatiha wa-Tuhaqiq fi natayij alfushal (The Southern Reviews Its Accounts and Investigates the Results of Failure)". [↑](#footnote-ref-42)
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