

HAMAS AND THE PEACE PROCESS, 1993-2004

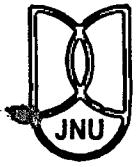
*Dissertation submitted to the Jawaharlal Nehru University
in partial fulfillment of the requirements
for the award of the degree of*

MASTER OF PHILOSOPHY

MUSTAQ HUSSIAN



**WEST ASIAN STUDIES DIVISION
CENTRE FOR WEST ASIAN AND AFRICAN STUDIES
SCHOOL OF INTERNATIONAL STUDIES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI-110067
2009**



CENTRE FOR WEST ASIAN AND AFRICAN STUDIES
SCHOOL OF INTERNATIONAL STUDIES
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI - 110 067, INDIA

Phone : 2670 4372
Fax : 91-11-2674 1586
E-mail : cwaas_office_jnu@yahoo.co.in

Date: 23 JULY 2009 .

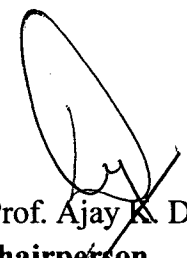
DECLARATION

I declare that the dissertation entitled “**HAMAS AND THE PEACE PROCESS, 1993-2004**” submitted by me in partial fulfilment of the requirements for the award of the degree of **MASTER OF PHILOSOPHY** of Jawaharlal Nehru University is my own work. The dissertation has not been previously submitted for any other degree of this University or any other university.


Mustaq Hussian

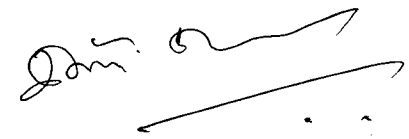
CERTIFICATE

We recommend that the dissertation may be placed before the examiners for evaluation.


(Prof. Ajay K. Dubey)
Chairperson



CHAIRPERSON
Centre for West Asian & African Studies
School of International Studies
Jawaharlal Nehru University
New Delhi - 110 067, INDIA


(Prof. P.R. Kumaraswamy)
Supervisor



Centre for West Asian & African Studies
School of International Studies
Jawaharlal Nehru University
New Delhi-110 067 (India)

Dedicated To...

My Parents

For all the Toil and Immense Love

CONTENTS

Acknowledgements

Introduction 1-13

Chapter 2: The Place of Hamas in Palestinian Politics 14-37

Chapter 3: Hamas and the Peace Process 38- 55

Chapter 4: Response to the Peace Process 56-73

Conclusion 74-76

Appendix 77-89

References 90-100

Acknowledgements

All important things one does for the first time calls for the help and support of significant others. The task that lay before me, in this, my first scholarly work, was a daunting and challenging one. It would be no exaggeration to say that, had it not been for the constant support, patient guidance, and invaluable feedback of my supervisor Prof. P. R. Kumaraswamy, this work, although would have reached a stage of completion for the sake of academic qualification, would not have made for as worthwhile a read as I hope it to be now. In view of all the help he has extended me in fulfilling this task, I would like to take this opportunity to offer my deepest sense of gratitude and appreciation. He is the best teacher I have had occasion to study under.

If being supervised by a teacher, as Prof. Kumaraswamy, was an experience of gathering knowledge, it was also at the same time tediously formal. During times when I longed for a light discussion on the topic, I was glad to learn the following friends were ready to lend a ear, but more often their tongues. To Leslie, Manish and Anjani I express my heartfelt appreciation.

I would also like to take this opportunity to thank my friends Sunny, Dhiren, Anant, for helping me in all possible ways they could and making my stay in JNU a time to cherish. A special and heartfelt thanks to Rocky Sir for being there when I was in dire need. Thank You sir.....

My room partner, Zaheer, a gentleman and an even gentler soul deserves a special mention. My room wouldn't have been so welcoming a haven had it not been for him. Keep the jokes going man....

Another special mention is deserved by Deepti and Robin (DL 8S X 3000), for the sweethearts they are...

Finally, and most importantly, I owe a lot, more than I can ever mention or could have ever imagined, to.....

Thanks for being.....



Mustaq

INTRODUCTION

In mid-2003, with the continuation of the cycle of violence in the West Bank and the Gaza Strip, a US-sponsored 'Roadmap' for the peaceful solution of the Israeli-Palestinian conflict was announced. The latest escalation in violence had started with the *al-Aqsa intifada* in September 2000. *Al-Aqsa intifada* marked the end, in failure, of the peace process that began with the signing of the Declaration of Principles (DoP), also known as the Oslo Accords, on 13 September 1993. The new attempts at peace making were defined as 'performance-based', stipulating a gradual peace process whereby the implementation of each step would be a condition for launching the next. Being 'goal-driven', it prescribed a two-state solution to the conflict.¹ However, despite its initiators' efforts to distance themselves from the Oslo Process this initiative was, in effect, a continuation of the old process. Like previous attempts at implementing the provisions of the peace process, the 'Roadmap' also proved extremely difficult to implement.

By the time of Arafat's death in November 2004, there were no signs of the 'Roadmap' leading to a lasting solution to the seemingly intractable conflict, one which could not be resolved by the Oslo process. Any attempt to explain the failure of the Oslo Process must consider the legacy of Arab-Israeli peace making. This is because the Israeli-Palestinian conflict has generally been viewed as one facet of the 'overall' conflict, and this helped shape expectations regarding the Oslo Process and subsequent initiatives.

In November 1947, the United Nations General Assembly decided to divide Palestine into its two contending communities - the Jews and the Palestinian Arabs. In May 1948, after the State of Israel was proclaimed, a development referred to as *al-nakba* (catastrophe) by the Palestinians, the neighboring Arab states intervened, declaring a war on the newly formed Jewish state. This war ended in 1949 with the signing of the UN-mediated Armistice Agreements between Israel and Egypt, Lebanon, Jordan, and Syria.

¹ For details, see US Department of State, 2003. 'A Performance- Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict', 30 April (<http://www.state.gov/r/pa/prs/ps/2003/20062pf.htm>). Accessed on 19 May 2009.

The Palestinians, the majority of whom were expelled from, or fled their homes, were not party to these accords. Thus, a precedent was set according to which contended issues between Arabs and Israelis were sought to be settled on a state-to-state basis.

In the immediate aftermath of *al-nakba*, and at a time when Arab nationalism was the dominant ideology, the Movement for the Arab Nationalists was the only predominantly Palestinian movement. The movement was founded in Beirut, in the early 1950s, by Palestinian and Arab students. George Habash was the founder of the movement and headed it throughout its effective existence. Its membership encompassed all classes, and its popular base was from the refugee camps, especially of Lebanon and Jordan (East and West Bank). However, this movement was never able to enjoy a mass following (Baumgarten: 2005, 26). It slowly disintegrated and, in 1967, Habash moved on to form the Popular Front for the Liberation of Palestine (PFLP). As disillusionment with the pan-Arab movement grew and no real progress was being made on the Palestinian front, there was an increasing support for a Palestinian national movement. This vacuum was filled by Fatah.

The Movement for the Liberation of Palestine (*harakat al-tahrir al-filastini*, the reverse acronym of which is Fatah) became the dominant force in Palestinian politics only after the 1967 war effectively heralded the failure of Arab nationalism as an effective ideological platform against Israel. Its actual establishment, however, was almost a decade earlier, in 1958. Fatah also came to dominate the Palestine Liberation Organization (PLO), established in 1964 under the tutelage of Nasser. Right from the outset, armed struggle was the most crucial element of Fatah's ideology and its central mobilizing strategy (Usher: 2000). It was the concept of armed struggle, which after 1967 seemed the only viable alternative to the defeated conventional Arab armies, which transformed Fatah from a small clandestine organization into the dominant force in Palestinian politics. Almost immediately after the 1967 war ended, Fatah, by then led by Arafat, began to organize armed struggle against Israel's new occupation of the West Bank and the Gaza Strip. At the center of Fatah's ideology was the independence of Palestinian initiative and action, yet it was well aware that it could not liberate Palestine without the decisive support of the Arab states (Baumgarten: 2005, 34). First, its guerrilla

actions against Israel could only be pursued from the Arab countries- its 'host' states-- bordering Israel. Moreover, Fatah demanded that a Palestinian national revolutionary government be established in areas of Palestine that had remained Arab, in other words, in the West Bank and in Gaza, then under Jordanian and Egyptian rule, respectively. Though not explicitly stated, it was clear that Fatah's strategy of launching guerrilla operations from the host countries was aimed at provoking Israeli retaliation, which in turn would draw the host country's army into the fighting. Yet at the same time, one of Fatah's declared principles was 'non-interference' in the internal affairs of the Arab host states. The inherent contradiction and irreconcilability of this principle with Fatah's actions was demonstrated in Jordan (1968-1971) and in Lebanon (late 1960s to 1982).²

By the early 1970s, it had become clear to Fatah's leadership under Arafat that politics and diplomacy constituted a potentially more successful strategy than armed struggle and that there was no way that any territory in pre-1967 Israel was going to be liberated (Baumgarten: 2005, 36). The leadership of Fatah shifted its emphasis to politico-diplomatic action and in effect began to scale back the original goal of a state in all Palestine to a state alongside Israel in the territories occupied in 1967, in a sense going back to its earlier demands that Egypt and Jordan return former Palestinian territories to the Palestinians. The ideological transformation toward politics as a principal means and toward statehood in only part of historic Palestine as a goal was slow. Successive meetings of the Palestine National Council (PNC), the Palestinian parliament in exile, made cautious moves toward the two-state solution in 1974. This process culminated in the November 1988 proclamation of an independent Palestinian state, with East Jerusalem as its capital.

The contradiction between Fatah's rhetoric and actual strategy had its consequences. Despite the shift in the political strategy, Fatah continued, at least rhetorically, to privilege armed struggle and to depreciate politics and diplomacy as the domain of 'corrupt' Arab regimes. Diplomacy was pursued, but in secret, thereby depriving it of

² For a detailed analysis see Yezid Sayigh (1997), "Armed Struggle and State Formation," *Journal of Palestine Studies*, 26:4, 17-32.

legitimacy. Moreover, the population was not being actively mobilized behind the important changes in strategy and goals that had begun to take shape as of the early to mid-1970s; no support strategy was ever developed for the politico-diplomatic struggle. However, in the aftermath of the outbreak of the first *intifada* in 1987, and the 1988 Algiers proclamation, a good part of the population of the occupied territories supported Fatah's new approach. This was despite the absence of active efforts on the part of PLO to mobilize the population behind its goals. Yet the renunciation of armed struggle, coupled with the abandonment of the old goal of liberating all of historical Palestine, was not welcomed by all. At the very time the PLO's political acceptance of a two-state solution was reaching its climax, a new movement, namely Hamas, arose in the Palestinian national arena that was to challenge Fatah on the very issue that had been Fatah's founding doctrine: armed struggle and the demand of the liberation of all Palestine. Hamas embodies Palestinian nationalism's religious variant and reflects the wider Islamic current that has gained momentum throughout the Islamic world in the mid-1980s (Abu-Amr: 1993, 6). In contrast to other Palestinian groups, Hamas viewed the struggle for liberation, *jihad*, not only as a national but also as a religious duty.

Thus, the Arab-Israeli conflict has gone through several phases, each adding a different dimension to it. It began as a conflict between two national movements, Zionism and Palestinian nationalism, which claimed possession of one land. From the 1950s, it was perceived as a struggle between Israel and pan-Arab nationalism, which regarded Israel as a bridgehead of western imperialism, designed to prevent Arab unity. In addition, it became an arena of the Cold War between the West and the Soviet Union. The religious idiom has always played an important role in the evolution of Palestinian nationalism and in the Palestinian-Israeli conflict. In the past, however, it was mostly the nationalist Palestinian elites, the notables during the British Mandate and the Fatah movement since the early 1960s, which employed Islamic symbols and themes in order to mobilize popular support for the national cause, whose aims were largely political and secular. The rise of political Islam in the West Asia and particularly within the Palestinian national movement represented a change from past patterns. This process has led to a new perception of the root causes and essence of the conflict as a war of religion (Litvak: 1998, 149). In addition, the religious perspective as articulated by Hamas provides a

framework for a new type of struggle and the rejection of opposing approaches and solutions.

Hamas came into existence, and grew in stature and influence, simultaneously with the developments of the first *intifada*. At the same time, Hamas also needed to respond to the challenges posed by the nascent peace process, which started to take shape soon after the establishment of the movement. In fact, Hamas was able to mobilize wide public support, in considerable part, because of the rivalry, disagreement, and mistrust that marred the peace negotiations between Israel and the Palestinian National Authority (PNA). With the continued failure of the PNA to translate Israeli-Palestinian peace negotiations into tangible territorial achievements and economic benefits, Hamas was able to continue portraying its role of the guardian of Islam and the champion of authentic Palestinian aspirations. According to some views, Hamas can also be seen as being responsible for the signing of the peace agreement. To confront an increasingly strong Hamas, PLO required the support of the international community, which it had lost to a considerable extent owing to its backing of Saddam Hussein in the Gulf War, and the demise of the Soviet Union. Further, PLO's stand during the Gulf War had antagonized the Saudis and Kuwaitis who had financed it. Arafat's organization, therefore, could not have continued to confront Hamas from within the Palestinian movement. Thus, even though the Islamic movement in Gaza and the West Bank did not by itself cause the PLO to make peace, its threat to a weakened PLO played an important part (Bulliet: 1993, 40).

On 6 March 1991, following the massive allied victory over Iraq, US President George Bush committed the United States to pursuing a settlement of the Arab-Israeli conflict. The agreement was to be based on the United Nations Security Council resolutions 242 and 338, and on the principle of land for peace. The US-led peace process also focused on efforts to convene a joint American-Soviet international peace conference (Andoni: 1991, 54). The result was the Madrid Peace conference. However, the main political outcome of the first *intifada* was the Oslo Accords that included the interim agreements, the Wye agreement, and the Hebron protocol. The broad logic of Oslo was that there would be a phased devolution of Israeli rule over West Bank and the Gaza Strip, at the end of which the most contentious issues of settlements, refugees, and Jerusalem would

be negotiated as part of the final status agreement. Besides the original Israeli withdrawal from Gaza and Jericho in May 1994, there were to be three Israeli redeployments over a five-year transitional phase.

The peacemakers at Oslo foresaw both separation and cooperation for the two states. Partition was to occur in stages and be facilitated by confidence-building measures and a gradual easing of Israeli-Palestinian enmity. The two sides were to cooperate in such areas as security and trade and defer resolving the most divisive issues, including Jerusalem and refugees. With the establishment of the PNA in 1994, Arafat was formally in charge, but underlying grievances endured, finally leaving the Oslo vision unfulfilled (Makovsky: 2001, 29).

Despite being heralded as path breaking, the Oslo peace process could not deliver on any of the promises. In fact, Arafat's stature began to slip soon after he signed the 1993 Oslo Accords. By signing the Accord, Arafat recognized the legitimacy of Israel, formally ending Palestinian claims to Israeli land that had been home to many of his people for generations. He gave up nearly thirty percent of the territory that the original 1948 U.N. partition plan had defined as Palestinian, leaving his bifurcated state with little more than twenty percent of what was once the British mandate of Palestine.

Some Palestinians believe that by signing the Oslo accords, Arafat deprived them of a capital in Jerusalem, a return of refugees, and an end to the expansion of the Jewish settlements. Indeed, during the decade of peace negotiations, the number of Israeli settlers has nearly doubled (Shikaki: 2002). The 1993 accords stipulated a partial Israeli withdrawal from the occupied territories, after which a five-year transitional period of negotiations toward a final-status agreement should begin. Palestinians were angered when the Oslo-mandated deadlines for the Israeli withdrawal passed unfulfilled, with Israel saying that Arafat was not living up to the terms of the agreement. Thus, it began to appear to most Palestinians that Israel would withhold even the promised twenty percent.

Although Hamas criticized the PLO, especially Fatah, for the lopsided agreement, it had itself adopted the idea of transitory liberation of Palestine. Hamas was willing to accept a temporary truce with Israel if the later agreed to return to the 1967 borders. Still, in light

of the gap between the stated positions of PLO and Israel regarding the territorial settlement, Hamas continued to portray itself as being faithful to the core Palestinian national goals. Hamas continued to position itself vis-à-vis the peace process in a manner which was reflective of the common Palestinian perception of the progress, or the lack thereof, in the negotiations. It displayed the ability to justify its pragmatic decisions in a way so as not to jeopardize its ideological bearings. In the course of such a strategy, Hamas simultaneously adapted to the challenges of the peace process and affected it by its own decisions on participation and resort to violence.

Survey of Literature

The rise of Hamas as an important actor is a relatively new development in the century-old Arab-Israeli conflict, as a result of which the focus on the Hamas factor is also new. Thus, the literature pertaining to Hamas is not as large a body as those relating to other themes in the conflict. Firstly, there are the writings pertaining to the origins and composition of Hamas and there is the body of literature that deals with the functioning of Hamas. A good number of scholars have traced the external links of Hamas and tried to draw a correlation between the external links and Hamas' policies. While some of these writings summarily reject Hamas as a terrorist outfit, there are others who explain how Hamas is essential for any future peace, that is, the importance of engaging Hamas. There is an important body of literature that deals with the role of Hamas in the Palestinian political system which helps in understanding how Hamas is different from the Fatah or PLO and the constituency that Hamas depends on and the compulsions that shape and guide its strategy vis-à-vis the peace process and Israel.

Hamas rose to prominence among the Palestinians, in response to the perceived lacunae in the functioning of the PLO and other groups, and later in that of the PNA. The response of Hamas to the peace process has to be understood in the light of its obligations to the factors and ideologies, which were instrumental in its formation and strengthening. The work of Shaul Mishal and Avaraham Sela (2006) is of great help in understanding the origin, ideals, aims and functioning of Hamas. The authors have focused on the social

reality within which Hamas exists and explain, with great clarity, the external and internal tensions that shape policy, govern actions, and determine working relationships with other groups and movements. This work delves in detail about the ideological underpinnings, structure, and leadership of the organization that explains its attitude towards the Oslo process and the state of Israel. Similarly, Hisham H. Ahmad (1994) and Ziad Abu-Amr (1993) have also dealt with the issue of rise of Hamas. Ahmad suggests that the Muslim Brotherhood created Hamas as a strategic response to the Intifada, with the aim of protecting itself from the uncertainties therein. Ahmad has endeavored to place Hamas in its domestic, regional, and international contexts. Khaled Hroub (2000) delves into the political thought of the Hamas, which helps in understanding the ideology driving the organization. Graham Usher (2003) traced the background of Hamas attaining the position of dominance in the Palestinian politics in the wake of the second intifada. The reasons cited include the impressive array of social service networks operated by the Hamas as against the lackluster performance of the Fatah-led PLO/ PNA. The genesis of Hamas has also been dealt by Are Knudsen (2005), Jurban and Drake (1993), and Anat Kurz and Nahman Tal (1997). Giles Kepel's (2003) work is of importance in terms of explaining the rise of Hamas within the larger context of the rise of political Islam.

The movement's view of and response to the peace process were determined by the public support it garnered on the basis of staunch opposition of Fatah and Arafat over the peace process. Changing this position and compromising its ideological stand would have been counterproductive. Hamas' reaction to the Oslo peace process has been dealt in detail by Wendy Kristianasen (1999). She goes to the extent of saying that 'Oslo came about as a result of Hamas' challenge to the PLO'. Hamas adopted the policy of tying military operations to Israeli outrages. However, it had to deal with the fact that mass anger at Israel could be overshadowed by the effects of collective punishments. The response of Hamas to the situation was one of biding for time while being ever ready to grab opportunities to disrupt the peace process. An attempt to frame Hamas' reaction to Oslo within a game theoretic model has been made by Andrew Kydd and Barbara Walter (2002). This gives an interesting insight into Hamas' actions and goes on to prove that it acted very strategically in using violence during 1993-2001.

Shaul Mishal (2003) has argued that ' Hamas's decision-making processes show that they have been markedly balanced...emphasizing visionary goals but also immediate needs' [p. 576]. Even though its charter forbids it from recognizing Israel or having peace with it, Hamas has shown political flexibility. On the question of the different voices within the Hamas, over the Oslo Process, Jonathan Schanzer (2003) writes that there were internal divisions within the Hamas. Some sections within the organization wanted to join hands with the PA to secure Palestinian statehood.

Hamas' reaction to the Oslo process has to be understood in the light of its approach towards the issue of political participation as well. The signing of the Oslo accord in 1993 triggered an intensive public debate within the Hamas circles. Mishal and Sela (2002) viewed it as two-edged problem. On one hand, participation could cost Hamas its credibility and tantamounted to political suicide. By blurring the dividing lines between Hamas and the PA, it might have implied its acceptance of the Oslo process. On the other hand, non- participation could mean political oblivion. One of the responses of Hamas was to establish an Islamic political party, with the aim of political mobilization for Hamas. The party could work within the ambit of the Oslo without Hamas having to worry about the legitimization of the Oslo process and harm to the movement's ideological reputation. At the same time it could prevent 'political isolation and loss of influence on future relations between Israel and the PA'. Due to lack of preparation and some reservations within its ranks Hamas eventually opted to boycott the elections. The publicly cited reason, however, was the non-existent guarantee of the Palestinian right to sovereignty in the 'Oslo elections'. The matter has also been dealt by Meir Hatina (1999). A good understanding on Hamas' stand on political participation within the ambit of the Oslo process has been provided by Mahmud Zahhar's interview (1995) conducted by Hussein Hijazi where Zahhar rejects elections without autonomy. Similarly, interviews of Hanan Ashrawi (1997) and of Hydar Abd al-Shafi (1995), conducted by Sharif Elmusa and Linda Butler, help in understanding the political views on important issues, especially the peace process. The challenge posed by Hamas to the PLO, in the wake of the peace process, can be understood in detail by the analysis of how the latter viewed the rise of the former and the emergence of a new political reality in the wake of the process.

In this regard, the works of Lamis Andoni (1991), Kjørlien (1993), and Salim Tamari (1995) are very relevant.

Even though the role played by Hamas has been cited as critical for the failure of the peace process, the latter also suffered from the handicap of not factoring in Hamas. Given the prominent position held by Hamas in the social and political life scenario of Palestine, non-inclusion of Hamas in the negotiations turned out to be a fatal mistake. Beverly Milton-Edwards and Alastair Crooke (2004) have argued that the peace frameworks adopted by the negotiating parties have jeopardized the chances by not engaging Hamas. The authors conclude that Hamas' weight and its indications of readiness for political incorporation into peace-making is the "elusive ingredient" for peace. Alastair Crooke and Beverly Milton-Edwards (2003) have reemphasized the point by saying that the best way to convince Hamas to agree to any cease-fire is to make it a part of the peace negotiations.

A few insights can be obtained from the writings of post-Arafat period as well. The changes brought by the demise of Yasser Arafat have bearing on all the actors in this conflict. Shlomo Ben Ami (2006), a former foreign minister of Israel, writes of Arafat's passing from the political scene as a "tragedy" because he was "the only man whose signature on an agreement of compromise and reconciliation, which would include giving up unattainable dreams, could have been legitimate in the eyes of his people," [p. 324] and he took this legitimacy with him to the grave. However, the possibility of an Israeli-Palestinian agreement that enjoys comparable—indeed, perhaps even greater—legitimacy than Arafat could have conferred on it may have been revived by Hamas' entry into Palestinian political life.

Definition, Rationale and Scope of the Study

There have been various attempts to salvage peace in the Palestinian conflict since the Oslo agreement, yet peace remains illusive. There has been a marked failure in counting the role of Hamas as a key actor in making or breaking peace. It's almost clear that any

future peace proposal has to be acceptable to Hamas too in order to be successful on the ground. This study traces the role of Hamas in the peace process since the Oslo agreements of 1993, thus importance of the study lies in filling the knowledge gap that exists in this regard. By focusing on the shifts in Hamas' policy until the death of Arafat in 2004, the study would help bring into light Hamas' view of its position in the domestic politics and, also, the peace process.

Research Questions

1. How did Hamas view the Israeli-Palestinian conflict?
2. What was the response of the Hamas to the peace process?
3. What was the role of Hamas in the failure of the peace process?

Hypothesis

- Hamas was a major contributing factor to the failure of the peace process.

Methodology

The study would be descriptive in nature looking into various sources of Hamas' policies, the peace process, and the Israeli policies towards Hamas etc. The study would use both primary and secondary sources. The primary sources include government documents including statements made by the various officials of the both sides as well as measures taken by both sides. The secondary sources include books as well as articles published in various journals and News Papers.

Chapterisation

The second chapter, **Hamas' place in the internal Palestinian politics**, examines the role of Hamas, both within the political space of and its relation with other constituents of Palestinian politics, especially the Fatah-led PLO. An attempt has been made to understand the internal dynamics of the Palestinian politics and to place Hamas within this context. This chapter has made an attempt to understand the lacunae in the ideology and functioning of the dominant Palestinian factions, which provided Hamas the space to grow and evolve. An analysis has been attempted at the position adopted by Hamas while portraying itself vis-à-vis the Fatah, and later the Palestinian National Authority (PNA). The chapter goes into the details of the strategy adopted by Hamas in order to preserve its position in the face of the new political reality created by the signing of the Oslo Accords, and whether it had to make any adjustments so as to avoid political marginalization. The chapter attempts to arrive at an understanding of the means by which Hamas coped with this threat to its survival.

The third chapter, **Views on the Peace Process**, analyzes the way Hamas viewed the peace process and how this view evolved over the course of time. This includes how Hamas visualized its future status and role in the domestic politics of Palestine in view of the changed scenario; its international standing and the effects of Oslo on its avowed stand of rejecting Israel's right to exist. The chapter also looks into the determining factors of the view and attitude held by Hamas towards the peace process. Hamas had vehemently criticized the Declaration of Principles (DoP), which favoured PLO at the time of the signing of the Oslo Accord, and worked towards undermining the peace process. The chapter looks into the issue of whether such attitude was motivated solely by rigid, religion-inspired ideology or was it necessitated by any other factors. In this chapter, an attempt has also been made to understand the position adopted by Hamas on the question of a negotiated settlement with Israel, especially in the light of the fact that the Hamas *mithaq* (charter) refuses to accept Israel's right to exist. Given this ideological stand, the immediate goal of safeguarding against political oblivion and any military action required pragmatic decision-making. The chapter attempts to ascertain whether the

Hamas leadership was able to make such decisions, and to adjust its ideology to the political realities.

The fourth chapter, **Responses to the Peace Process**, attempts to state and analyze Hamas' response to the challenges posed by the Oslo peace process. It tries to find out the practical programme of opposition adopted by Hamas against the implementation of the Oslo Accord and the Interim Agreement, and the role of its local and external leadership in the adoption and implementation of such a programme. The chapter goes into the details of strategy adopted by Hamas while tackling the issues of political participation, use of violence, and developing a response towards the increasingly legitimate and internationally backed PNA. The chapter looks into the factors that governed Hamas' decision to stay away from the election to the PNA, while at the same time participating in the local body elections. An attempt has been made to understand the factors considered by Hamas in the timing and extent of use of violence, which included suicide terrorism, against Israeli civilian and military targets. Another aspect examined by the chapter is the means by which Hamas reasoned its continued use of violence, while it maintained a political presence and tried to save its cadres and infrastructure against an all out confrontation against PNA's security forces and the Israel Defence Forces (IDF). Further, the chapter tries to analyze whether there has been any change in Hamas' response to the peace process in light of its increasing popularity over the course of time, and specifically after the outbreak of the *al-Aqsa intifada*. Finally, an attempt has also been made to understand whether it is Hamas' straightforward reluctance to talk or it is the failure of others, especially Israel, to factor in and engage Hamas in the peace process, which has led to the failure of the peace process.

The final chapter, **Conclusion**, summarizes the findings of the research and the verification of hypotheses.

Chapter 2

The place of Hamas in Palestinian Politics

Hamas, like other Islamist movements in the West Asia, owes its ideological roots to the Egyptian Muslim Brotherhood. The foundations of the Hamas are to be located in the Islamic Centre (*al-Mujamma' al-Islami*) which was established in the Gaza City in 1973 by Sheikh Ahmed Yassin along with Abd al-Aziz Rantisi and other supporters. Functioning as a charity, the Centre was encouraged by the Israeli authorities as a strategic move to undermine the secular Palestinian nationalists led by the Palestine Liberation Organization (PLO). By 1987, when the Hamas came into existence, the Centre had gradually gained control over 600 mosques in the Gaza Strip (Knudsen: 2005, 1376).

The Hamas came into existence at a time when the Palestinian politics was going through a transition, with demands concerning revision of national goals and means to accomplish them were gathering strength. Hamas emerged from the foundations laid by a strong Islamic movement and, sought to present itself as an Islamic alternative to the PLO's secular nationalism and its political program for the achievement of statehood for the Palestinians. Hamas also challenged the claim of the PLO as the 'sole representative' of the aspirations of the Palestinians and this it sought to accomplish by combining religious doctrine with the day-to-day concerns of the Palestinian people. The birth of this organization represented the Palestinian embodiment of political Islam in the West Asia.

Hamas presented itself as a social and political revisionist group with the aim of securing a dominant public position. Towards this goal, it adopted the method of promoting the Palestinian national interest through violence against Israel while maintaining its Islamic social institutions. Over the course of a decade and a half, Hamas made some political adjustments, without severely jeopardizing its ideological standings, in its methods and decision-making. Such adjustments were made with regard to the two uprisings, the first Intifada which broke out in December 1987 and the second (*al-Aqsa*) *intifada* which

began in September 2000, as well as in its struggle with the PLO. Combining realistic considerations with ideological beliefs, Hamas came to attain the position of a major threat to PLO's domination of Palestinian politics. In the case of the Gaza Strip, it has emerged as the dominant Palestinian faction. The evolution and influence of Hamas were primarily the outgrowths of the first *intifada* and the ways in which Hamas participated in the uprising as manifested through the operations of its military wing, work of its political leadership, and its social activities.

The first *intifada*

The first *intifada* started in the Occupied Territories in December 1987. The reasons for the uprising were rooted in the social and economic hardships of the population of these territories. In the Occupied Territories, the birth rate was among the highest in the world (Kepel: 2003, 152).¹ Half the population was under the age of fifteen years. While education was available to most through the United Nations Relief and Works Agency (UNRWA) only twenty percent were able to find work upon the completion of their studies. As the first generation of educated Palestinian families of generally modest means, most of these young people left universities to face unemployment or had to travel to Israel for menial jobs. Despite the ripe circumstances, major social upheaval was avoided by the infusion of international aid, large-scale emigration to oil-producing states in the Persian Gulf and remittances from abroad. However, the collapse of oil prices in 1986 considerably restricted the flow of funds and the prospects of jobs. At the same time new tensions emerged in the region due to continued increase of settlement activities in the Occupied Territories, necessitated by the huge influx of Jewish immigrants from the former Soviet Union. Such tense situation inevitably favoured the emergence of the younger generation as an independent political force. Indeed, when the first *intifada* erupted, it was led by the *shebab* (meaning, the youth) (Kepel: 2003, 153). From the beginning, the most violent demonstrations took place in the refugee camps of the Gaza

¹ In 1991, the birth-rate in the West Bank and Gaza was 46.5/100 and 56.1/100 respectively, and the reproduction rate was 8.1 and 9.8 children, respectively, for each woman.

Strip, which had the highest concentration of the poorest and the unemployed. Until the Intifada waned in 1991, the *shebab* played a central role in it.

The history of Hamas-Fatah relations begins with the eruption of the first *intifada* on 8 December 1987. The Fatah-led PLO and Hamas were competing for control of the *intifada*. Each group attempted to mobilize and organize the *shebab*, whose allegiance might alter the direction of the struggle. Hamas had a significant advantage over its rivals. The acute social and demographic tensions in the Occupied Territories in 1987 were conducive to emergence of Islamism, as had happened in other parts of the region. Although the uprising was aimed at the Israeli occupation, Islamist competition caused massive problems for the Palestinian nationalist movement as well.

This grassroots uprising against Israel's presence in the West Bank and Gaza was initially led by a broad spectrum of Palestinian political factions. Yasser Arafat's Fatah organization- a guerrilla group active since 1964, based successively in Jordan, Lebanon, and Tunisia (after 1982)- quickly brought these factions under its control and created the Unified National Leadership of the Uprising (UNLU). This underground organization printed leaflets, or *bayanat*, which declared, organised and coordinated strikes, demonstrations and other popular protests against the Israeli occupation.

Within two months of the uprising, in January 1988, Fatah and the UNLU met their greatest challenge. Members of the Muslim Brethren created an umbrella organization called *Harakat al-Muqawama al-Islamiyya* (Movement of the Islamic Resistance), forming the Arabic acronym HAMAS (meaning 'zeal'). The Muslim Brethren had met on 9 December 1987, under the leadership of Sheikh Yassin, and published a communiqué six days later that called for the intensification of the uprising. It was signed by the members of the Movement of the Islamic Resistance, but the paternity of this new movement was not acknowledged until January of 1988 (Kepel: 2003, 154). Its creation was the work of the younger cadres of the Muslim Brethren, who challenged the more pragmatic leadership of the movement. It was obligatory, they claimed, to wage *jihad* (holy war) against Israel. Almost immediately, Hamas began to challenge Fatah, which the Islamist group saw as trying to 'dominate control of the uprising' (Jurban and Drake: 1993, 6). The first *bayan* (leaflet) bearing the name of Hamas appeared on 11 February

1988. For the rest of the *intifada*, both Hamas and Fatah competed for the hearts and minds of the Palestinians by distributing leaflets and offering conflicting guidance about ideology, demonstrations, and civil strikes. In this way, both Fatah and Hamas sought to claim credit for inspiring and guiding the uprising.

During the years of the *intifada*, the confrontation between the PLO and the Hamas focused on two arenas. One was the daily activities of the popular uprising and the other was the comprehensive framework of the struggle for the Palestinian political independence. The desire to preserve ideological and organizational distinctiveness kept Hamas out of the UNLU, which was identified with the PLO. The decision of Hamas to keep out of the unified leadership of the uprising turned *intifada* into a sphere of competition for the leadership of the overall struggle for Palestinian sovereignty.

During the first months of the uprising, the Muslim Brotherhood was concerned that an open declaration of support would bring about Israeli repression against both their organization and the *intifada*. However, the fear of losing the younger generation to other groups like the Islamic Jihad or the PLO was much greater. For this reason, they presented Hamas as an operational entity that enjoyed some kind of autonomy from the Muslim Brotherhood. In light of their zeal for the uprising, the impoverished young were no longer viewed by the Brotherhood as an unpredictable political entity, but as ideal recruits to their cause. This view was enforced in March 1988 when Israel acted against, and destroyed many cells of Islamic Jihad, thereby clearing the political and religious field for Hamas. Thereafter, the Hamas worked vigorously to channelize the resentment of the young population for the promotion of its own social agenda. This operated on three levels: private, social, and political (Kepel: 2003, 154). Through the strong moral content of its message, Hamas sought to make the re-Islamized lower sections of the population into standard-bearers of social values against the secular elites, whose western morals and ways were denounced as being un-Islamic.

The PLO was caught unprepared by the *intifada*, but was quick to detect the challenge to its political primacy. Its leaders viewed the uprising as a spontaneous movement of the younger generation to sideline the older political and established leadership. From the beginning of 1988, a complex balance was established between the young nationalist

cadres of Gaza Strip, the West Bank, and East Jerusalem and the exiled PLO leadership in Tunis, which was struggling to regain some kind of initiative. The UNLU was the point of confluence between Tunis-based Palestinian leadership and the newer generation in the Occupied Territories (Kepel: 2003, 154). From 1988 onwards, Hamas and the UNLU were in open competition for the allegiance of the factions participating in the uprising. Each group published its own calendar of ‘compulsory’ strike days. Through violent actions and pressure tactics, for the first time in the history of the Palestinian movement the Islamists were able prevail over the nationalists.

Arafat, for his part, used the first *intifada* to advance his international standing as the leader of the Palestinian people. He did this through the Algiers Declaration of November 1988², which accepted the United Nations General Assembly resolution 181. The emergency meeting of the Palestine National Council accepted the 1947 UN Resolution that called for a partition of Palestine into two states, one Jewish and one Arab. Acceptance of the resolution amounted to a tacit recognition of Israel and many in the West saw this as an opening for peace talks and began working to that end. Arafat responded by urging a peace conference based upon UN Security Council resolutions 242 and 338, which called on Israel to withdraw from the territories conquered in June 1967 war. These were accompanied by the declaration of the State of Palestine on 15 November 1988. Within two weeks, at least fifty-five states recognized the newly proclaimed independent entity (Schanzer: 2003). These made the Palestine Liberation Organization (PLO)—and by default, its prime component, Fatah—an instant, makeshift government.

It became apparent that Hamas and Fatah now had competing strategies. Fatah sought to create a nascent state to be recognized by the international community. Its strategy was to demonstrate its pragmatism to the world. Hamas, for its part, sought to gain power on the ground through a steadfast rejection of all negotiations leading to a two-state solution. The result was that Arafat and his Fatah faction were now stronger on the international level, but they lost credibility among some Palestinians who saw Fatah's implicit

² For full text of the Declaration, see www.nadplo.org/news.../Declaration%20of%Independence.pdf

recognition of Israel as a sign of weakness and surrender (Schanzer: 2003). Further, the failure of Arafat and Fatah to remove Israel's occupation from any part of the Palestinian territories through armed struggle was interpreted by them as the inevitable outcome of the weakness of their secular and nationalist ideology. Thus, as political scientist Mark Tessler notes, " Hamas extended its influence in both the West Bank and Gaza during 1988 and became an important voice giving direction to the uprising, second only to that of the UNLU" (Tessler: 1994, 695).

Meanwhile, on 18 August 1988 Hamas published its own "covenant," a document of thirty-six articles calling for a synthesis of Islamism and Palestinian nationalism. It laid out the difference between itself and the PLO. It envisioned Palestine as a state run according to the *Shari'a* (Islamic law) and declared that when "enemies usurp some Islamic lands, *jihad* becomes a duty binding on all Muslims." Further, adopting a non-compromising position regarding territorial compromise it stated that Palestinians should not cede one inch of land because Palestine is *waqf*, an inalienable religious endowment entrusted to the Muslims by God (Hamas Charter, Appendix I). By the end of 1988, some analysts speculated that Hamas was on the verge of replacing Fatah and the PLO as the leading force in the Occupied Territories. As one political scientist wrote, "certain events contributed to the perception that Hamas had emerged—or was on the verge of emerging—as the dominant factor in the Occupied Territories" and 'if really free elections were held in the [occupied] territories, the fundamentalists would win more seats than the PLO" (Schanzer: 2003).

The ideology of Hamas, a synthesis of Islamism and nationalism, clearly appealed to an increasingly broad segment of the Palestinians. As its popularity rose, Hamas pressured women to dress modestly and attacked stores selling liquor. Its activists clashed with leftists and killed those suspected of collaborating with Israel. Hamas also took credit for six attacks against Israel in 1989, including kidnappings, stabbings, and shootings. Meanwhile, Hamas grew bolder in its attempts to delegitimize Fatah. In January 1989, a leaflet published jointly by Hamas and the Popular Front for the Liberation of Palestine (PFLP) called for an alternative to the PLO's leadership of the UNLU (Kurz and Tal: 2006, 28). This was a matter of concern for the PLO as it signified coordination,

howsoever incipient, between the Hamas and the left-wing PFLP. In the following months, such coordination seemed firmly established with the PFLP repeatedly proclaiming its alliance with the Hamas based on commonality of ideological approach. The self-confidence expressed by the Hamas leadership was based on its increasing political strength. In 1989, the dire situations created by growing financial difficulties were exacerbated by the political deadlock over Israel's refusal to consider PLO's offer of negotiation on the basis of the Algiers Declaration. This deadlock favoured further radicalization and growth of the Hamas.

By May 1989, the surging popularity of, and unprecedented violence carried out, by Hamas prompted Israel to arrest hundreds of its activists and militants. On 28 September 1989, it also declared Hamas an illegal organization. According to Israeli political scientists Shaul Mishal and Avraham Sela, the arrests created a "vacuum that opened in the senior- and middle-level leadership" (Mishal and Sela: 2006, 160). As a result, Hamas was forced to restructure its leadership so that arrests and assassinations would not debilitate the movement. Hence, it can be said that the institutionalizing stage came in 1989, during which the movement worked on strengthening its infrastructure while establishing low-level ranks of command on the local level.

The clashes with the Israel Defence Forces (IDF) only improved the standing of Hamas among the Palestinian people. The Palestinians realized that Hamas had become a factor to be reckoned with and that it had built an impressive infrastructure and held the power to ease or impede progress toward a political solution. Repression only served to increase the legitimacy of the Islamists in the eyes of the common Palestinians. The growing popularity of Hamas was also reflected in its success in receiving more aid from the Gulf States. In 1990, Kuwait contributed \$60 million to Hamas but gave only \$27 million to PLO (Kepel: 2003, 157). This trend became more marked after the PLO made the strategic mistake of supporting Iraq over the Kuwait crisis.

In response to this challenge, the PLO leadership, at the behest of Yasser Arafat himself, met Hamas leaders in Amman in April 1990 to discuss a cessation of the ongoing leaflet war and to invite Hamas to join the Palestinian National Council (PNC) (Kurz and Tal: 2006, 29). The PLO hoped to transform Hamas into a minority opposition that would be

controlled by the will of the majority. However, Hamas demanded almost half the seats in the Council, and the proclamation of *jihad* as the only means of liberating Palestine (Kepel: 2003, 157). Despite this and other attempts at rapprochement, tensions remained high, marked by a continued war of words and sporadic violence. By 1991, the competing strategies of Fatah and Hamas became sharper.

The Gulf War over Kuwait had direct consequences for the Arab-Israeli conflict, more specifically for the PLO. Apart from total aid cut-off, it had to confront the tide of refugees from Kuwait and the Gulf States and various related repercussions. The major direct political fallouts were twofold: hastening the already existing trend towards Palestinian isolation on the Arab and international fronts, and precipitating a crisis within the PLO and the Palestinian community itself over the future direction of the movement (Andoni: 1991, 55). In the wake of Iraqi defeat, PLO's standing in the West reached its lowest ebb since the 1960s, when its activities were synonymous with terrorism. At the regional level, the PLO's support for Iraqi President Saddam Hussein over Kuwait was used as a pretext by a number of Arab States along the Persian Gulf to absolve them from financial and political commitments to the organization. The Gulf War also removed Iraq and Syria from the Arab-Israeli equation. The Iraqi defeat and consolidation of U.S. supremacy completed the chain of setbacks and PLO's isolation. Under these circumstances, the PLO leadership was forced to engage in a peace process. In a post-Soviet world, the U.S. was in a position to impose on Israel and its Arab adversaries a peace process that conformed to its interests in the region. This took the shape of the Madrid peace conference.

Following the Kuwait War, both Hamas and the PLO had to respond to the challenge. However, unlike the PLO, Hamas did not have to re-examine its principles (Kurz and Tal: 2006, 30). While remaining true to its ideology, Hamas rejected the American initiative and focused on attempts to persuade the PLO to do the same. The timing of the Madrid process suited the PLO, which was politically and financially weakened. Arafat attempted to consolidate his position as the international leader of the Palestinians when he authorized a West Bank-Gaza delegation to join the Jordanian delegation to the Madrid Peace Conference with Israel. However, the way in which the Palestinian



National Authority (PNA) eventually shaped up underscored the asymmetry of power equation between Israel and the official Palestinian leadership. This prospect had the risk of helping the Islamists in further consolidating their position.

As the Madrid process was unfolding, the Islamists had a delicate situation to handle. They had the opportunity to capitalize on the public disenchantment over the seemingly meek submission of the PLO, the slow progress of the peace process as well as the authoritarianism and corruption of the PNA's leaders. At the same time, they had to formulate a strategy to maintain constant pressure without drifting into the realms of extremism. Hamas vigorously attacked the Madrid process as a "conference of selling the land" (Kurz and Tal: 2006, 30). That year, Hamas formed its military wing, the '*Izzeddin al-Qassam Brigade*' (named after a famous Islamist killed by the British in 1935), whose deadly attacks brought Hamas increased notoriety and eventually led it into the trap of terrorism. During May and June of 1991, the rivalry between the PLO and Hamas was marked by violence, mainly in Nablus. Such conflicts were renewed at the end of 1991 and continued for the better part of 1992. In the summer and fall of 1992, Hamas-Fatah tensions again boiled over, leading to more violent clashes for the control of Palestinian streets (Jurban and Drake: 1993, 13).

Meanwhile, as part of the Oslo accords the PLO went ahead with the arduous process of constructing a state apparatus and organizing the Palestinian elections in 1996. Hamas found itself caught in the internal tussle between the radicals and the moderates who wished to participate in the newly established political process. This internal squabbling harmed the ability of Hamas leadership to unite the different sections of the society behind a single cause. Since its founding, this ability had lent Hamas an edge over other groups and helped in its emergence as the most serious challenge to the Fatah. However, Hamas did succeed in making electoral gains at the various elections to educational and professional associations by rejecting a negotiated peace process in which the Palestinians seemed to be the losers. At the same time, Hamas left an operational valve for its more radical members by allowing them to control the streets in defiance of the PLO, and occasional provocation of Israel through violence. The acts of violence consolidated the support for Hamas among the radical youth population, and was helped

further by the denouncements of the PLO. Increasing confrontation between the Hamas and Israel pushed the PLO away from the limelight and it was forced to suspend its participation in the peace negotiations (Kepel: 2003, 327). Arafat needed concrete advancements on the peace process to regain the lost confidence of the Palestinian populace. Thus, secret, direct contacts between Arafat's representatives and Government of Israel were started, which eventually led to the Oslo Declaration of Principles.

The Impact of Oslo

After Israel and the PLO agreed to a basis for Palestinian autonomy in the West Bank and Gaza, they signed a Declaration of Principles (DoP or the Oslo I) on 13 September 1993. Hamas steadfastly opposed the agreement and likened it to sacrilege. The signing of the Oslo Accords did restore the popularity of the PLO in the Occupied Territories to a significant extent. However, on the other hand, it facilitated the opening of an anti-Arafat front, led by the Hamas. Internally, however, Hamas was divided regarding its strategy towards the offspring of the Oslo accords, the Palestinian National Authority (PNA). It had to reconcile its maximalist position of calling for the liberation of all of Palestine "from the River Jordan to the sea," (Hamas Charter, Appendix I) with the everyday aspirations of the people, who wished to get rid of the Israeli occupation as quickly as possible. While the former meant the destruction of the State of Israel, the latter position marked a conditional co-existence with the Jewish state. Hence, some felt it incumbent upon Hamas to join the PNA and not miss an opportunity to build a Palestinian state. Other sections within Hamas found it obligatory to use violence to put pressure on Israel and the PLO, but without compromising the Israel's withdrawal from the Occupied Territories. The dilemma faced by Hamas was reflective of the contradictory attitudes of various sections from which it derived its support base. The young urban poor were mostly in support of the non-compromising, violent tactics. On the other hand, the middle classes favoured participation in the newly created political structure and taking part in the Palestinian elections slated for early 1996.

But in the end, Hamas declared that it would not take part in the new institutions of the PNA. Hamas joined the Damascus-based "Democratic and Islamic National Front" which also included the Palestine Islamic *Jihad* (PIJ), the Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), PFLP-General Command, and five smaller rejectionist groups. 'The Damascus Ten', as they were called, were dedicated to thwarting the Oslo agreement (Kurz and Tal: 2006, 34). In this way, Hamas came to define itself increasingly by its opposition to the Oslo accords.

In 1993, the group restated its vow to carry out terrorist attacks and called for boycotts of the Oslo related activities and mass demonstrations. The following year Hamas launched its first successful suicide bombings against the Israeli civilians. In the fall of 1994, shortly after the PNA assumed control of Gaza under the Oslo accords, sixteen people died and 200 were wounded in clashes between Hamas and the PNA near the Palestine mosque in Gaza (Kurz and Tal: 2006, 38). In the wake of subsequent Hamas suicide bombings, Israel and the United States called upon Arafat to crack down on Hamas as a precondition for further peace negotiations. As a result, the PNA officials met Hamas representatives in Cairo in 1995 to persuade the Islamic movement to join the PNA, reduce violence, and to back the peace process- a call Hamas rejected. Soon thereafter, in March 1996, after four Hamas suicide bombings that killed fifty-seven Israeli civilians, PNA security forces jailed hundreds of Hamas operatives (Schanzer: 2003). Any hopes of bringing Hamas on board the electoral process were laid to rest by the Interim Agreement on the West Bank and Gaza Strip, signed by the Government of Israel and the PLO in October 1995.

The 28 September 1995, Oslo II agreement was signed. The Annex II, Article III, Section 2 of the agreement says, "The nomination of any candidates, parties, or coalitions will be refused, and such nomination or registration once made will be cancelled, if such candidates, parties, or coalitions: commit or advocate racism or pursue the implementation of their aims by unlawful or non-democratic means."³ This undermines some of the basic premises of Hamas. Article 15 of the Hamas charter declares, "We

³ Draft of 'The Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip', available at <http://www.jewishvirtuallibrary.org/jsource/Peace/interim.html>. Accessed on 19 December 2008.

must spread the spirit of *jihad* among the *ummah* (Muslim nation), clash with the enemies and join the ranks of the *jihad* fighters." Likewise Article 28 of the charter further declares, "Israel, by virtue of its being Jewish and of having a Jewish population, defies Islam and Muslims" (Appendix I).

On 20 January 1996, the Palestinians held their first elections for the presidency and the 88-member Palestinian Legislative Council. The quandary that Hamas faced in 1994 presented itself again: the issue granting legitimacy to the PNA, a product of the Oslo accords, or refraining from joining the political system. In the end, Hamas again snubbed Fatah and the PNA, deciding not to take part in the elections. At the same time, Hamas could not ignore the popularity of the peace process among the Palestinians and their overwhelming support for the Oslo process. Israel's withdrawal from the Palestinian cities weeks before the January 1996 elections further enhanced the popularity of the process. Under such circumstances, an open boycott would have been ignored by a large segment of the population, thereby undermining its support base. Hence, Hamas settled for abstaining from the election without issuing an open boycott call. This enabled a number of Hamas-affiliated members to run as independents and to get elected to the Council.

Some observers felt that had Hamas fully participated, its candidates might have won a string of victories. As an ideological opposition movement distinguished by its adherence to the right of the Palestinians to the whole of Palestine, Hamas could not have participated in the elections that were perceived as a vote of trust in the Oslo accords (Mishal and Sela: 2006, 133). Thus, despite the internal debate, the political leadership of Hamas remained opposed to participation.

After the Wye Plantation accords in October 1998, Hamas curtailed its activity. It was claimed that the low profile adopted by Hamas was intended to facilitate the continuation of the tenure of Israeli Prime Minister Benjamin Netanyahu who sought to scuttle the peace process by delaying the implementation of the Oslo accords. This considerably weakened the position of the PNA, an owed object of the Hamas (Schanzer: 2003). In the summer of 1999, after a 10-month hiatus, Hamas initiated a rash of shootings and

ambushes in the West Bank. Hamas, it can be argued, had little to lose, since the PNA continued to jail hundreds of Hamas activists without charge or trial.

With the coming to power of Netanyahu in the elections of 1996, Israel started taking a hard-line approach to the problem of violence. Closing of Israel's borders to the Palestinians meant severe restrictions upon Palestinians from going into Israel for work. This, in turn, brought about a further deterioration of the economic situation of the Palestinians. Netanyahu's government also halted the withdrawal from the West Bank and restarted the construction of settlements. In such a scenario, public support for the Hamas tactics of violence against Israeli civilians dwindled. At the same time, due to the absence of a credible opposition, the Palestinian autonomous government had imposed its authority. The Palestinian security forces also emerged as the principal local employer, (Kepel: 2003, 331) recruiting its troops from amongst the same impoverished urban youths who had formed the backbone of Hamas. It also had an indirect effect in the form of drastically increasing PNA's surveillance and policing capabilities since these young men knew their targets well. All these factors led to the weakening of the Hamas by 2000.

At the same time, the failure to achieve a major breakthrough toward the establishment of a viable Palestinian state under the Oslo peace process led to mounting frustration among the Palestinians. High unemployment rates and continued gloomy economic situation added to the general feeling of frustration. The second *intifada*, called the *al-Aqsa intifada* after the name of the mosque where Israel's leader of opposition Ariel Sharon took a stroll that was the immediate cause of the uprising, started under such tumultuous circumstances.

Al-Aqsa Intifada

Palestinian Chairman Arafat had hoped that the uprising would provide him with a mean to pressurize Israel into arriving at a negotiated arrangement, while at the same time projecting himself as the champion of the nationalistic cause, thwarting any attempts by Hamas or Islamic *Jihad* to outflank him. At the start of the Palestinian uprising in

September 2000, Arafat released many detained Hamas operatives and cooperated with Hamas on military operations. The "National and Islamic Forces," a thirteen-member coalition comprised of Fatah, Hamas, and Islamic *Jihad*, was formed for coordination between the groups. Hamas, however, soon restarted its operations independently and once again emerged as a threatening opposition. Arafat, in an attempt to consolidate his own power, reportedly offered Hamas an alliance in January 2001 but was again rebuffed (Schanzer: 2003). In June, Hamas also rejected Arafat's offer to join a new Palestinian cabinet. By August 2001, a Palestinian poll reported that Fatah's popularity in the PNA had declined sharply to 26 percent, while an unprecedented 27 percent supported Hamas (Schanzer: 2003). Inter-factional tensions ensued, with intermittent reports of violence between Hamas and Fatah activists.

There are varied discourses on the question of its persistent refusal to come to terms with Fatah, to forge the equivalent of Israel's "national unity" government. According to documents recently seized in Gaza by the IDF, Hamas recognized Fatah's weakness, and its confidence has grown to the point where it sees itself as one of "the influential forces in the Arab-Zionist equation." In these documents, Hamas notes that the PNA has "collapsed, its infrastructure has been destroyed, and it suffers rifts and divisions ... in short, the PNA has been dismantled and must be reassembled according to new conditions."⁴ Those "new conditions" have persuaded Hamas that it could legitimately claim a place of primacy in any new order, and that it has nothing to gain by legitimizing the PNA.

Hamas also seems to have realized that its violence not only demoralized Israel but also undermined the PNA. Every time Hamas carried out a military attack against an Israeli target, mostly civilians, either inside Israel proper or in the Occupied Territories, it elicited an Israeli reprisal against the PNA. Israel sometimes resorted to 'targeted killings' and manhunts of Hamas operatives. But at the same time Israel also retaliated

4 "The Hamas perceived the dialogue with the Palestinian Authority which was held in Egypt as a means to tighten its relations with Egypt and deepen the PNA's support for Hamas terrorist activities." Israel Defence Forces/Military Intelligence, document seized in Gaza, December 2002, Document #TR3-874-02, p. 6. Quoted in Jonathan Schanzer.

against PNA infrastructure (for example, police stations, government buildings or Arafat's compound in Ramallah). Israeli retaliation, in the aggregate, actually weakened the PNA and Fatah more severely than Hamas.

In other words, Hamas was able to achieve two aims with one strategy. By carrying out suicide attacks against Israel, it boosted its popularity among the Palestinians. Its attacks also elicited an Israeli retaliation that in most instances damaged the PNA and paved the way for the weakening of the Fatah. Given these tangible rewards from its terror tactics, Hamas had no reason to desist.

If this is taken as the predominant thinking within the Hamas ranks, then it should come as no surprise that various 'dialogues' between Fatah and Hamas yielded little or nothing in the way of reducing terror. In fact, the only cumulative effect of these talks has been the legitimization of Hamas through Egypt-sponsored unity talks. As an editorial in Israel's *Ha'aretz* daily observed: "the Europeans, the Americans, and the Egyptians all treated the Islamic groups as the de facto equal of Fatah and the Palestinian Authority" (Schanzer: 2003).

Fatah found itself in a dilemma. Either it could try to garner international support by renouncing violence or it could adopt the Hamas strategy of winning Palestinian support through violence against Israel. International support was clearly the strength on which Fatah rose to power in the late 1980s. However, violence and rejectionism had come to be a proven strategy for success in the internal Palestinian political scenario and the steady popularity of Hamas in the Palestinian territories was a proof for that.

Arafat found it hard to make a choice. He called for both 'martyrdom' (the Hamas euphemism for suicide attacks against Israel) and a 'just peace' with Israel (Schanzer: 2003). The result was that without a strong leadership, the Palestinians found themselves incapable of taking any decisive steps. Indeed, the Palestinians perceived that they were further away from achieving statehood than they were when the violence began. Under such circumstances, Arafat hinted at agreeing to the proposal by 'the Quartet' (the United States, U.N., European Union, and Russia), known as a 'roadmap' for peace, promising a de facto Palestinian state by 2004, with final borders to be set by 2005. For this

'roadmap' to be implemented, however, the Quartet stipulated an initial period of calm on the ground, that is, total suspension of suicide attacks and other violence against Israel and its civilian population. This stipulation led Fatah to make an overture to Hamas and demand a halt of suicide bombings for three months. The overture effectively recognized that Hamas had achieved a veto over Palestinian strategy. In recognition of the fact, Palestinian legislator Ziad Abu Amr noted that, "Hamas can play the role of the spoiler" and a "factor for instability" (Gaess: 2002).

The Cairo talks held during 8-12 November 2002 were designed, among other things, to ease the rising tensions between the two groups. Egypt also sought to broker a deal, whereby Hamas would end attacks on Israeli civilians for three months, provided Israel halted political assassinations or targeting Hamas members (Howeidy: 2002). The plan was to translate a cease-fire into a full-scale reconciliation. Initially, the talks were to take place between Khalid Mashaal, head of the Hamas politburo, and Mahmud Abbas (Abu Mazin), Fatah's number two. In the end, Arafat lowered the profile of his delegation when he sent Zakaria al-Agha, a member of the PLO executive committee. Hamas, in turn, sent Musa Abu Marzuq in place of Mashaal (Howeidy: 2002). This was one more sign of festering animosity between the two groups. Not surprisingly, the talks failed to produce a result. On 21 November, Hamas carried out a suicide bombing on a Jerusalem bus, killing eleven civilians and wounding fifty others. In Gaza as well, tensions between Fatah and Hamas reached new heights. The following week, Hamas founder Ahmad Yassin addressed a rally attended by about 30,000 Hamas supporters at a soccer stadium in the Sheikh Radwan neighbourhood of Gaza City, a Hamas stronghold. There, he insisted that "*jihad* will continue," despite the talks with Fatah (Amayreh: 2002).

Fatah's position was further undermined by the almost total Israeli containment of the West Bank and large parts of Gaza in 2002 by means of checkpoints, bypass roads and enveloping settlements. In addition, Israel undertook two military operations against the Palestinians, namely, *Defensive Shield* in March and *Determined Path* in June of 2002. Under such circumstances, Hamas tried to forge a new nationalist movement. It sought inspirations from the success of the Hezbollah and its 'resistance only' path, which forced Israel to withdraw from south Lebanon. If there was a national goal, Hamas argued, it

was not peace with Israel but Israel's forced withdrawal or 'unilateral separation' from all or most of the Occupied Territories (Usher: 2002). Hamas had reached a position where its cognizance on matters of negotiations was inevitable. The way forward for the peace negotiations was to ensure the participation of Hamas in inter-Palestinian elections. On its part, Hamas also seemed ready to stand down from its maximalist stand. Marwan Barghouti endorsed elections as the "democratic and legal way" to force the departure of "many Palestinian officials and leaders" who have failed "in their roles and responsibilities in this decisive battle." Moreover, Hamas political leaders in Gaza like Abdel Aziz Rantisi did confirm that they would abide by any "majority Palestinian decision if the elections were free and not restricted by the limitations of Oslo" (Usher: 2002). Such overtures made it seemingly possible for the Fatah and Hamas to seek at some working agreement.

However, at the start of 2003, talks between the two factions were again postponed, after Egypt failed to broker an agreement on the starting point: a halt on terror attacks against Israel. In an interview published on 10 January 2003, Sheikh Ahmed Yassin stated that one reason that forced Hamas to reject a ceasefire arrangement was the inconsistency of Fatah. He noted that "the PNA itself supports the *jihad* activities and the suicide attacks, whilst at the same time it requests us to put a stop to them."⁵ In sum, Hamas remained defiant, despite the combined pressures of the PNA and Egypt. This once-irresistible combination could no longer dictate terms to Hamas, which seems determined to follow its own strategy of escalation (Schanzer: 2003). By 2004, Hamas had emerged as the principal political opponent to the Fatah-led PLO, and it achieved this position within 15 years of its coming into existence.

Until Hamas was created, resistance to Israel was secular and nationalistic, with left-wing, Marxist overtones. Since the 1950s, Arab 'revolutionary' regimes had sought support from the Soviet bloc, and the Palestinian movements under the umbrella of the PLO obtained arms and political backing from the Soviet Union and its allies. The left-

5 "Ahmed Yassin: We Went to Cairo to Consolidate National Unity, Not to Wave the White Flag of Surrender at the Jewish Enemy," IDF spokesperson, January 12 2003, at <http://www.kokhavivpublications.com/2003/israel/01/0301122141.html>

leaning and nationalist PLO was a common enemy in the 1970s for both Israel and the Islamic religious movement. During its early years, Hamas waged two struggles - one against 'corrupt Western values,' the other against the Israeli occupation. By the time its spiritual leader, Sheikh Ahmed Yassin, was assassinated on 22 March 2004, Hamas had risen to the position of holding a veto over any decision taken in the name of or for the Palestinians. However, by this time Hamas was no longer the embodiment of Islamist ideology in constant struggle with the 'western' or 'Zionist' forces. Its ideology and its functioning had moved in a direction of measured coexistence with the ground realities in recognition of its own strengths and weaknesses.

Hamas, like other Islamic movements was reluctant to compromise publicly its ultimate objectives, official positions, or make reciprocal concessions. Yet, like other such movements, it hesitated to pursue its dogma at the price of all-out confrontation. While the goals and activities of these movements are justified in Islamic terms, the religious drive does not always guide the political conduct of these movements. This holds true for Hamas as well (Mishal and Sela, 2006). For Hamas the national component of its struggle (ironically at odds with the 'globalism' of traditional Islam that recognizes no national borders within the domain of Islam) generally took precedence over its religious imperatives when the two conflict. This is so, not only because most Palestinians oppose its religious goals, particularly efforts to regulate their personal religious behaviour, but more importantly because Hamas sees itself is as much a Palestinian national movement as it is a religious one.

In response to a call by Ayman al-Zawahiri, al-Qaeda's second in command, to Hamas to continue a violent *jihad* to recover every last "grain of soil from Palestine which was a Muslim land that was occupied by infidels," a Hamas official pointedly stated that "Hamas believes that Islam is completely different [from] the ideology of Mr. al-Zawahiri." He added, "Our battle is against the Israeli occupation and our only concern is to restore our rights and serve our people." (Seigman: 2006). Similar views have been expressed by other Hamas moderates as well. Ismail Abu Shanab (assassinated by Israel on 21 August 2003) said that Hamas would halt its armed struggle if "the Israelis are willing to fully withdraw from the 1967 Occupied Territories and present a timetable for

doing so" (Gutman, Gilbert, and Keinon: 2003). In 2004, Hamas leader Mohammed Ghazal said that the Charter of Hamas is not the Koran. "Historically," he said, "we believe all Palestine belongs to Palestinians, but we're talking now about reality, about political solutions.... I don't think there will be a problem of negotiating with the Israelis."⁶

These sentiments are in striking contrast to the odiousness of the Hamas Charter of 18 August 1988, which relies on an extreme anti-Jewish reading of Islamic religious sources and on classical anti-Semitic defamations such as the Protocols of the Elders of Zion. Such hateful language was not entirely absent from PLO documents and statements in its pre-Oslo days. One can find comparable demonization of Palestinians by some Jewish groups, including Israel's officials and political parties who advocate ethnic cleansing of all Palestinian residents of the West Bank. As noted by Henry Kissinger in an Op-Ed article rejection and demonization are all too common in ethnic and political conflict, as is unexpected moderation by former extremists after they enter a political process and assume responsibility for the well-being of those who brought them to office (Kissinger: 2006).

The place of Hamas in the Palestinian politics has to be seen as the last of the three phases of Palestinian Nationalism over the course of last half a century. The first was the pan-Arab phase while Fatah represented the second phase, that of a specifically Palestinian form of the struggle. Hamas represents the religious (Islamic) variant of the Palestinian nationalism. Each arose as a consequence of its immediate predecessor's perceived failure to achieve Palestinian goals. Ideologically, Arab nationalism was followed by Palestinian nationalism, which in turn was followed by religious nationalism. At the same time, the emergence of the three separate but continuing phases also coincided with the overall ideological trends in the Arab world at large (Baumgarten: 2005, 26).

⁶ "Hamas: We'll Rethink Call to Destroy Israel," *Reuters*, 21 September 2005. URL: <http://www.ynetnews.com/articles/0,7340,L-3145475,00.html>

The issues that differentiate Hamas and the Fatah start at the very basic level of nomenclature itself. The name Hamas encapsulates its very essence. In place of the Palestinian nationalism proposed by Fatah as the way towards liberation and achievement of statehood, Hamas proposed “Islam as the solution and the alternative” (Hroub: 2005, 265). Since the Fatah was formed and, for most of its period of existence, operated from outside the Occupied Territories, its aim was ‘Liberation’. It was a reflection of the expulsion and diaspora refugee conditions, which were the formative experiences of its leaders. Hamas, on the other hand, was founded and developed inside the Palestinian territories. The political thinking of its leaders was shaped by the occupation, which is reflected in the key component of its ideology: concept of resistance rather than liberation. The emergence of Hamas, aside from being a response to the outbreak of the *intifada*, was also a response to the peace efforts already underway. Seen in this light, creation of Hamas was a response to the Fatah as well. Like other Palestinian movements, Hamas also calls on its followers to fight for the liberation of Palestine. However, what the struggle or ‘*jihad*’ entails is different for Hamas. The Islamic base of Hamas differentiates it from the nationalist groups. With regard to the PLO, Hamas promises that “the day that the PLO embraces Islam as the way of life, we shall be its soldiers.” (Hamas Charter, Appendix I). However, when it comes to relations on the ground, Hamas is driven far more by pragmatism, rivalry and power struggle, rather than religious or ideological factors.

In contrast to its competitors, Hamas views the struggle for liberation, *jihad*, not only as a national but also as a religious duty. However, its definition of *jihad* has always been broad and flexible. Its charter declares that “*jihad* means not only carrying arms and confronting the enemy. The positive word, excellent article, beneficial book, aid, support...also constitutes *jihad* for the sake of God” (Appendix I). The result is that Hamas, from the outset, has stressed that the struggle encompasses both military and political dimensions. In its initial years, at least till the formation of *Izzeddin al-Qassam* brigades in 1992, Hamas emphasized on peaceful means of combating the occupation (demonstration, strikes, etc.) at least as much as the violent means. However, its resort to violence puts Hamas in sharp contrast to the Fatah. Further, in contrast to Fatah’s

ideology of liberation of Palestine by Palestinian action, Hamas stands for liberation of Palestine by Palestinian, Arab and Islamic action.

Hamas has always insisted on the occupation as the sole target of its armed struggle. However, there is ambiguity about which occupation it refers to, the occupation of 1967 or the very establishment of the State of Israel in 1948 on Palestinian land. But in this regard, too, Hamas has shown a degree of pragmatism that has enabled it to come to terms with the possibility of a political recognition of Israel in a far shorter time frame than its rival movements. Even without officially recognizing Israel, there have long been hints of its willingness to 'work' within a 1967 framework. One example for this was Sheikh Yassin's demand, in autumn 1997, of full Israeli withdrawal from the Occupied Territories and the removal of settlements as conditions for a truce with Israel. This evolution has become increasingly explicit. In December 2004 Hasan Yusuf, leader of the West Bank branch of Hamas, referred to "a long-term truce with Israel on the basis of the establishment of a Palestinian state along the 1967 borders in the West Bank and the Gaza Strip" (Baumgarten: 2005, 41).

Beyond the differences in approaches to resistance and struggle, one of the major differences between Hamas and other organizations is its emphasis on social solidarity and the resources it has devoted to its vast network of charitable institutions. These educational and health services are maintained primarily by *zakat*, the Muslim tax. This is in complete contrast to the funding pattern of Fatah and the PLO, which is primarily based on patronage and rentier politics, and which makes them liable to corruption. It can be suggested that this form of funding ensures that the Hamas remains closely connected to the people and avoids the gap between leadership and mass base that characterizes most of the other Palestinian movements, including the Fatah.

Like other social movements and political organizations, much of its inter- and intra-organizational activity is grounded in its hierarchical structure, interpersonal relations, and affiliation with a site of prayer or a religious figure. It is these interpersonal relations that stand up behind the tension between the movement's formal and informal elements, between its religious-national vision and communal needs, as well as the tension

emanating from the power struggle between “outside” and “inside” over its leadership and institutions.

Since the beginning of their activities in 1989, “outside” leaders of Hamas have worked hard to institutionalize the movement’s presence in Arab and Palestinian communities in the United States and Europe, especially Britain and Germany. Focusing on Muslim community centres, these efforts have included organizing conventions, issuing pamphlets and publications, and raising money for supposedly humanitarian purposes. The largest centre was in Dallas, Texas, and was responsible for publishing periodicals of the Palestinian Islamic movement in North America, such as *al-Zaituna*, *Ila Filastin*, and *The Palestine Monitor*. At the end of 1991, a Hamas centre opened in Springfield, Virginia, but both centres were shut down in 1993 when the U.S. government declared Hamas to be a terrorist organization.

Its organizational structure made the “outside” leaders paramount, and the local leaders were organized informally based on ties of solidarity and traditional attachments. As a local movement, the “inside,” with its interpersonal networks and interactions, based on friendship, reputation, and trust rather than on hierarchy, played an important role in building organizational infrastructure and mobilizing resources and public support. Indeed, during its formative period, Hamas was affected less by authoritative, bureaucratic, and vertical relations and a hierarchical chain of command than by group interaction and lateral relations based primarily on solidarity among the participants, self-identification as a collective unit, a common background, and a sharing of basic knowledge and values (Mishal: 2003, 581).

However, its emphasis on mass action to mobilize the people required a structure based on vertical relations and a hierarchical chain of command. Its need for a more formal structure was also dictated by external constraints. Israel’s aggressive military response led the movement to seek more effective measures to secure its survival and continue its activities, hence its emphasis on discipline, secrecy, compartmentalization, and hierarchy. Interpersonal interactions based on trust and persuasions were no longer sufficient, although they continued to affect relationships in both civil and military actions. One should look here to understand why Hamas created an organizational infrastructure based

on horizontally and vertically differentiated positions. Vertically, positions are linked to a hierarchical chain of command- instructions go down and reports go up- and are controlled by supervisors with a fixed number of subordinates, each of whom has one clearly identified supervisor to whom he is responsible. Horizontally, various tasks are grouped according to the functions performed for the organization (Mishal: 2003, 582).

This organizational infrastructure is meant to function in accordance with the principles of bureaucratic hierarchy. It includes internal security, military activities, political activities (protests, demonstrations, etc.), and Islamic preaching (*da'wa*). All four units have separate regional headquarters in the Gaza Strip and the West Bank. Its pattern of decentralized organization and the network nature of its activities are expressed in local initiatives that often contradict the official policy and instructions of the top leadership. This is most strikingly manifested in the dispute between its political leadership and its military wing, *Izzeddin al-Qassam* units, following the June 2001 cease-fire agreed upon between Israel and the PNA after the eruption of the Palestinian uprising against Israel in September 2000. While *Izzeddin al-Qassam* units issued a statement in the name of Hamas to stop the fire and declare a truce, Hamas founder Sheikh Ahmad Yassin announced that the statement was issued without the knowledge of the organisation.

Given the absence of clear hierarchical norms, normally so prevalent in Islamic movements, it is likely that the thrust toward a network structure will widen the gulf between the central leadership and the rank and file, resulting in the local power centres challenging the leaders' moral and political status. Still, one might mention at least two reasons that Hamas managed to avoid an organizational split and structural chaos. First is the PNA's policy, which, as a matter of tactics, prefers dialogue and coexistence to a military confrontation with Hamas. Second is the character of the 1993 Oslo accord, which had left unresolved, until the final status talks, key issues such as the Palestinian refugees, future of Jewish settlements, Jerusalem, the PNA's permanent political status, and the demarcation of Palestinian territory. In addition, Arafat's repeated commitment to establishing an independent Palestinian state, with East Jerusalem as its capital, has helped bridge part of the gap between Hamas and the PNA pertaining to the political goals of the peace process.

Its adoption of a policy of dialogue and coexistence with the PNA has also enabled Hamas to perceive its relationship with the PNA as an intermediate situation of prolonged tensions and contradictions, to be dealt with by institutional arrangements and normative devices that mitigate the antagonism rather than resolve it. In this respect, Hamas has usually avoided adopting rigid political doctrines about its relations with the PLO, and later with the PNA, opting instead for temporary accommodation. Hamas, then, does not live up to its world image of a one-track organization with monolithic, unshakable, fundamentalist interests. In fact, if Hamas were to adopt such an unbending approach, it would be counterproductive, increasing its isolation in the local Palestinian, inter-Arab, and international arenas. In an interview given to Hussein Hijazi in 1995, Hamas leader Mahmud Zahhar said:

“...for Hamas it has never been a question of weakening the PLO. This was not in our interest, since to weaken the PLO is to weaken one of the important Palestinian actors. We have always believed that for people to become convinced to join Hamas, the PLO should fail by virtue of its own policies” (Mahmud Zahhar and Hussein Hijazi: 1995, 83).

Chapter 3

Hamas and the Peace Process

The emergence of Hamas as the leading opposition group and bearer of Palestinian national resistance was the result of a transformation within the Muslim Brotherhood from which it emerged. The Brotherhood had traditionally remained politically inactive and this enabled it to evolve a non-hostile and working relationship with Israel. A radical change in this approach was required following the outbreak of the *intifada* in December 1987. The Brotherhood had to change its priority of ‘re-Islamization’ of the society, and join the common struggle. The result was the formation of a separate activist arm that it named Hamas. The new movement quickly became an important player. If the *intifada* was the initial challenge, a precise and more focused political platform was provided by the PLO’s official embrace of the two-state solution at the November 1988 meeting of the Palestine national council (PNC) in Algiers. Hamas was able to increase its popularity at each national reversal suffered by the official Palestinian leadership represented by PLO Chairman Yasser Arafat: failure to reap benefits from initiatives at Algiers; popular disenchantment with PLO over corruption; faulty policy pursued by the PLO during the Kuwait crisis; and finally, the faltering peace talks that followed the 1991 Madrid Conference.

Concerning peace initiatives, Article 13 of the Hamas *mithaq* (charter) states: “what are called ‘peaceful solutions’ and ‘international conferences’ to solve the Palestine question all conflict with the doctrine of the Islamic Resistance Movement, for giving up any part of the homeland is like giving up part of the religious faith itself” (Appendix I). According to the Charter, there is no solution to the Palestine problem except *jihad*. In keeping with this, Hamas protested against the peace conference that was held in Madrid in October 1991 and demanded an immediate withdrawal of the joint Jordanian-Palestinian delegation from the negotiations. Hamas held an obsessive distrust of any resolution to the Palestinian-Israeli conflict that advocated a territorial compromise. It viewed the Madrid Conference as an articulation of a Western-inspired political agenda

and model of resolution aimed at securing the legitimacy and recognition of the state of Israel (Milton-Edwards: 1996, 201).

Its opposition to the process of dialogue and negotiation with Israel was accompanied by a concerted opposition throughout 1991, 1992 and 1993. Its campaign against the Madrid peace process included a variety of means and methods. One of the most commonly used methods was the public condemnation campaign organized by Hamas. Throughout this period, Hamas conveyed its message of rejection through newspapers, magazines, audio-cassettes recorded by Hamas leaders, books, leaflets, communiqués, press releases and videotapes. Every aspect of the process was denounced including specific condemnation of the venues of the meetings, dates, choice of Palestinian representatives, hotels, nature of negotiations, political agenda and so on. Hamas depicted the whole process as a humiliation of Islam and a victory of Zionism. At meetings in the West Bank and Gaza Strip, where officials such as Faisal Husseini and Hanan Ashrawi went to consult with the Palestinian public, the Islamic movement verbally attacked the speakers. On a few occasions, it went as far as to break up these meetings with violence (Milton-Edwards: 1996, 204). The same level of vehemence was evident in its opposition to the signing of the Oslo Agreement in September 1993.

The Oslo Accords did not signal peace between Israel and the Palestinians, rather they symbolized an attempt to end the scale of conflict that characterized relations between the two groups. The Declaration of Principles (DoP) agreed between Israel and the PLO offered the Palestinians limited autonomy. The deployment of Israel's armed forces away from Palestinian centres of population was also agreed between the two parties. In addition, the DoP postponed a number of important issues such as the status of Jerusalem, settlements and the refugee question to the final status negotiations. The DoP resulted in mutual recognition between Israel and the PLO (but not the Palestinian Islamists) and resulted in the removal of Israel's military forces from Jericho and the centres of Palestinian population in the Gaza Strip. Israel gradually transferred powers to the nascent Palestinian National Authority (PNA) in the Gaza Strip and West Bank. Thus, the PNA became responsible for Palestinian administration in the areas of education and culture, health, social welfare, direct taxation and tourism. In addition, the PNA was

empowered by the DoP to commence building the Palestinian police force. Elections to an 88-member Palestinian executive council were also promoted under the framework of the Oslo accords. These elections were to bestow legitimacy much needed for the promotion of political stability in the Gaza Strip and West Bank. For the Palestinian Islamic movement, the DoP symbolized the recognition of the state of Israel, acceptance of the continued Israeli occupation of Palestinian land and negotiation of issues like Jerusalem was indeed a 'cup of poison' for the Palestinian people. For the Islamists, recognition of Israel meant ceding parts of the Islamic land of Palestine, which must perpetually remain under Islamic control and sovereignty. These perspectives coloured the rhetoric and response of the Hamas to attempts by the PLO leadership, more specifically Fatah, to engineer some sort of political agreement to end conflict between the Palestinians of the Gaza Strip and West Bank. Hence, it can be observed that since Oslo Hamas has characterized itself more by its opposition to the peace process than by other differences with the PLO.

The Oslo Accords called for an Israeli Defence Forces (IDF) withdrawal from Gaza and the West Bank town of Jericho, which were to fall under the civilian control of a Palestinian autonomy government headed by PLO Chairman Yasser Arafat. Until the conclusion of the final status negotiations, the Israeli settlements were to remain intact, and the new Palestinian police was to work in coordination with the IDF to maintain and guarantee internal security within the autonomous areas. In practical terms, this meant the PLO fighting Hamas and its militant campaign against Israel and its civilian population. Gradually the IDF was to be redeployed from all Palestinian population centres in the West Bank to prepare for Palestinian elections and the extension of autonomy to the entire West Bank. Under the DoP, most contentious issues such as settlements, refugees, borders, Palestinian statehood, security, and Jerusalem were deferred until final status talks scheduled to begin in the third year of autonomy or mid-1996. The Declaration of Principles itself was accompanied by mutual recognition between Israel and the PLO, once the bitterest of enemies, and by a commitment from Arafat not only to end but also to fight terrorism. It also committed the Palestinian leadership to annul clauses of the PLO Charter that called for the destruction of Israel. Taken together, the Oslo accords

represented a bold bid for a lasting reconciliation between Palestinians and Israel, and promised to usher in a new era of regional peace.

The DoP changed the Palestinian political scenario. However bitterly Hamas was opposed to the peace process, the establishment of the Palestinian National Authority and the introduction of 'autonomy' in the Gaza Strip and Jericho were popular and unassailable. According to opinion polls, the Palestinians inside the Occupied Territories collectively endorsed the peace process and, despite deep dissatisfaction, largely continued to see no alternative to Oslo (Kristiansen: 1999, 22). In light of these ground realities, Hamas could not afford to be seen as an impediment to the realization of popular aspirations. Thus, the movement did not openly challenge the PNA, even though its aim of undermining and overturning the Oslo accords implicitly brought the PNA leadership under question. In view of the unique problems posed and the responses required to counter them, it is necessary to understand how Hamas viewed the peace process.

Following the signing of the 1993 Declaration of Principles (the Oslo Agreement), a heated debate ensued regarding the role of Hamas in the Israel-Palestinian peace process. On one hand, there have been calls to eradicate Hamas, while on the other, there have been speculations that it would eventually acquiesce to the role of a constructive opposition. The underlying question in these debates is whether it is possible to make peace without Hamas or whether it can be included in a peace settlement. On the basis of past behaviour, and its tendency towards pragmatism, it has been argued that Hamas was capable of adapting to the peace agreement. As two avid students of the organization argue, Hamas "does not live up to its world image of a one-track organization with a monolithic, fanatic vision; unshakable fundamentalist interests; rigidly binary perceptions." Rather, it has demonstrated "a willingness to base its policies on cost-benefit calculations," making "a political understanding with Israel" its "lesser-evil alternative" (Mishal and Sela: 2006, 169-171).

Hamas plays multiple roles and is a multi-faceted phenomenon. On one hand, it is part of the larger phenomenon of radical Islam. As such, it advocates the establishment of a supra-national Islamic state based on the laws of the *Sharia*. On other hand, it is part of

the Palestinian liberation movement, with the goal of liberating Palestine. Hamas has had to formulate its ideology internally through a power-struggle with the PLO, a more highly institutionalized national movement and externally through an armed struggle against Israel. In other words, Hamas has come to constitute both the main internal opposition to the PLO and the PNA as well as an external military opposition to Israel (Aburaiya: 2006). This reality posed great challenges for Hamas, most important of these being the need to reconcile its universal Islamic doctrine with a territorially focused Palestinian nationalism. This dilemma has become even sharper following the establishment of the PNA in June 1994 in the wake of the DoP signed in September 1993. Another challenge was how to reconcile between its advocacy of *jihad* against Israel and pressures from Israel, the PNA, and the wider international community to stop armed attacks against civilian targets in Israel.

Such vehement opposition to the peace negotiations was tempered by the realization of the hardships faced by the Palestinians in the Occupied Territories. Despite vocal opposition, Hamas did not wish to project itself as an obstructive force towards finding any solution to the conflict. The opposition to the negotiations was further tempered by the lack of alternatives and the ground reality, which favoured PLO at the time of the signing of the Oslo Accord (Abu-Amr: 1992, 13). A verbatim reading of the Hamas Charter would have suggested an uncompromising opposition to each and any settlement short of establishment of a Palestinian state in the whole of historic Palestine. However, the strategy adopted in the face of the challenge posed by the establishment of the PNA explains the way Hamas viewed the peace process. Its awareness of the need to secure its presence and influence in the Palestinian political arena necessitated flexibility towards a settlement with Israel. Although a permanent peace settlement with Israel continued to remain forbidden, Hamas left an option of agreement, provided it assumed a temporary form (Mishal and Sela: 2006, 46- 47). Hamas interpreted any political agreement involving the West Bank and Gaza Strip as merely a pause in the *jihad* against the occupier. With this view, Hamas achieved political flexibility without forsaking its ideological commitments. Having adopted the strategy of a 'temporary' settlement, Hamas was ready to acquiesce in the 1993 Oslo process without recognizing Israel; to support the establishment of a Palestinian state in the West Bank and Gaza Strip without

ending the state of war with Israel or renouncing its ultimate goals; and to consider restraint, but not to give up the armed struggle. Acceptance of a political settlement in the short run was interpreted as being complementary, not contradictory, to long-term desires.

Beyond the need to reconcile ideology to the needs of the ground realities was the issue of deciding on the operational tactics to be employed. With its emphasis on 'resistance', violent military operations even against Israeli civilians have been its ultimate weapons. While carrying out its militant campaign Hamas never distinguished between military and civilian targets and most of its operations were directed against ordinary Israeli civilians. However, because of Oslo, recourse to violence became problematic. Hamas had to weigh two factors. Firstly, the temporary arrangement with the PNA was based on its compliance with the PNA's basic demand for a cessation of violence in and from the self-rule areas. Secondly, Hamas had to take into account the volatile public mood as well. Hence, even though Hamas tried to figure a way out by tying violent actions against Israel, it was aware that Palestinian public support against Israel could quickly be overshadowed by the effects of collective punishment. At the same time, Hamas leaders were aware of the need of to restraining the younger members, who had been nurtured on the notion of armed struggle (Kristiansen: 1999, 22).

By the time the Oslo Accords were signed, Hamas was firmly set as the leading opposition group to resist Arafat's 'sell-out' of Palestine through *jihad*. However, its leaders were farsighted enough to see the implications of the new situation and, therefore, they introduced new elements into the debate. Hamas officials expressed confidence that inherent weaknesses and contradictions in the DoP, as well as frustration over the non-materialization of economic prosperity and over Israel's probable intransigence would eventually set most Palestinians against the accord. The signing of the Taba accords between Israel and PNA on the implementation of the Declaration of Principles, and the consolidation of the PNA, forced Hamas to reconsider its positions. Various Hamas activists acknowledged that the movement's ultimate goals were unattainable in the near future, since Israel, which enjoyed the support of the Western world, was still too strong (Litvak: 1998, 159). In addition, they acknowledged that the majority of Palestinians in

the territories were tired after years of struggle and supported a political compromise with Israel at least in the short run. Nor could these activists ignore the wishes of one important constituency of Hamas supporters, composed mainly of conservative members of the middle classes, who supported the idea of Islamizing Palestinian society and of an Islamic Palestinian state, but were less committed to the notion of an all-out *jihad*. Under such circumstances, pragmatist figures in Hamas admitted that a call for a prolonged and difficult *jihad* could appeal to, or be heeded by, only a select group of dedicated activists rather than by the majority of Palestinian population.

Thus, the Hamas leaders resorted to the gradualist ‘policy of stages’ inherited from the Muslim Brotherhood. This provided considerable scope for pragmatism. Thus, in November 1993, within two months of Oslo, Sheikh Yassin issued an open letter from prison raising the possibility of a cease-fire lasting for ten or even twenty years with Israel if the latter would withdraw from the Occupied Territories. He also suggested, “challenging the legislative institution from within” by participating in the electoral process planned for establishing an autonomous Palestinian Council. He encouraged his followers to oppose the Palestinian-Israeli accord “by all possible civilized means.” This was seen as a sign of willingness to recognize the framework of the future PNA and to encourage limiting the armed resistance (Kristiansen: 1999, 23). Even after the first suicide attacks against a bus in Israel carried out in April 1994, Hamas leadership’s moderate orientation was confirmed in an interview given by Musa Abu Marzuq that seemed to acknowledge the irreversibility of Oslo. He affirmed that if Israel withdrew from the Occupied Territories and dismantled its settlements, “there could be a truce to give the enemy government an opportunity to get out of the deadlock” in which the peace process was stuck because of the “wrong basis” on which it was launched. He added that Hamas had no qualms about the PLO police, international forces, or even the Jordanian or Egyptian authorities supervising the territories after the withdrawal by Israel. Hamas would cooperate with any Palestinian bodies established in the evacuated areas and would take part in any free elections in the territories to choose a Palestinian leadership. The movement would even participate in local self-rule bodies provided it was not prevented from expressing the genuine aspirations of the Palestinian people (Kristiansen: 1999, 23).

As against the stated position of the Hamas leaders, it can be argued that all these purported concessions were held hostage to conditions that they knew would be unacceptable to the Government of Israel. If this is accepted, then, the statements lose their import and remain just propaganda rhetoric aimed at diverting criticism. However, it should be acknowledged (as shown in the second chapter) that the organizational structure of Hamas was not very rigid and the lower level operatives, especially those of the *Izzeddin al Qassam* Brigades, had considerable autonomy. In light of such arguments, it can be deduced that Hamas, at least in the first months of the Oslo agreement, was ready to give the peace process a chance. That these views of moderation did not corroborate with the facts on the ground is largely due to the turn of events. For example, the first wave of suicide attacks on Israeli civilian targets, from April to October 1994, were seen as a response to, if not revenge for, the killing of 29 Palestinian worshippers in the Ibrahimi mosque of Hebron by the Israeli settler Baruch Goldstein.

From the outset, Hamas was the second major player in Palestinian politics. This status has proved to be both a curse and a blessing for the organization (Hroub: 2004, 23). It was a curse because its secondary position did not allow Hamas a say in decisions affecting the rights of the Palestinians and it was a blessing because it relieved the movement of blame for compromises sometimes made under duress. At the same time, its secondary status gave Hamas a flexibility and margin of manoeuvre not available to the Palestinian leadership. With the onset of the peace process, its opposition to the negotiations and strategy of 'resistance against occupation' placed Hamas in a position of being in direct opposition to the first Palestinian player, namely, the PLO. The situation became even more delicate after the creation of the PNA, whose primary responsibility, as Israel saw, was to maintain 'security' in the Occupied Territories by stamping out any resistance and more particularly 'Palestinian terrorism' from Hamas and the other groups opposed to the peace process. However, as Israel was unwilling to empower the PNA by conceding even minimal Palestinian demands, the PNA increasingly lost legitimacy and being unable to impose its strategy, appeared increasingly impotent in the eyes of the population. Even so, Hamas was keenly aware of its position as 'second' vis-à-vis the dominant player, and in deciding on a course of action, always took care to strike a balance between this position and its assessment of the prevailing political environment.

To some extent, the Oslo framework had contributed to the impasse in the Palestinian political arena as it delegitimized any political force outside the political elite that adhered to it, and offered no credible non-violent ways of protesting against its content of the agreements or against Israel's non-compliance with its commitment. This situation has enabled Hamas, as the most powerful Palestinian opposition force, to attract anyone critical of the peace process, reaching well beyond its core constituency, while lack of progress has served to sustain the attraction of its recourse to violence. Thus, there were few incentives for Hamas to change its course.

In terms of acknowledging it as an important player in the peace initiatives, or at least as an actor with considerable influence on the outcome of any peace plan, Hamas can be viewed, in terms of Stephen Stedman, as an 'outside spoiler'; a faction excluded from an existing peace process, seeking to undermine that process because it believes it to be threatening to its interests. Following typical 'outside spoiler' behaviour, it uses violence to this end. Total spoilers, in Stedman's typology, pursue 'total power and exclusive recognition of authority and hold immutable preferences.' They are led by 'individuals who see the world in all-or-nothing terms', preventing the possibility of compromise. Limited spoilers seek limited goals, such as 'recognition and redress of a grievance.' Though the goals are limited, the commitment to these goals may be total. However, the limited nature of the goals suggests a level of pragmatism on the part of the leadership, rendering accommodation possible. The space between these two categories is occupied by what Stedman calls 'greedy' spoilers, the goals of which 'expand or contract based on calculations of cost and risk.' Much depends on the 'locus of spoiler behaviour', whether it resides in the leadership or with the followers—or more precisely, in the perception the leadership has of the followers' preferences. If the latter was the case, changes in the political or socio-economic circumstances of the constituency may change what is considered acceptable, causing backlash (Stedman: 1997, 12).

Applying this typology to the Israel- Palestinian peace process, Hamas can be viewed as a limited spoiler, though it did, at times, display behaviour characteristic of greedy

spoilers¹, depending on the costs involved and possible benefits accruing from such actions. Decisions taken by the Hamas leadership were also reflective of the opinion among its followers and the general Palestinian population. Thus, even though Stedman's typology is problematic in giving the impression of distinct categories, especially in view of the diverse viewpoints within Hamas' decision-making apparatus, it is still useful as a conceptual framework to aid analysis.

The ultimate proclaimed goal of Hamas is the liberation of all of historic Palestine and the establishment of an Islamic state in the liberated lands. The justification Hamas offers for this stance is that Palestine is an Islamic *waqf*, a territory given in trust to all generations of Muslims. No one generation can consent to giving it away to non-Muslim control, let alone sovereignty. All peace efforts are out rightly denounced as acts of betrayal. Liberation is not its only goal. The Islamization of society—the process of making Islam more central to public and private life which, besides a focus on Islamic law, includes concerns for social justice, leadership accountability and democratic participation—is as important, if not more so. Prior to the first *intifada*, it was these latter goals that the Islamic movement sought to advance, while the goal of liberation was placed on the back-burner. This suggests a certain amount of flexibility in the determination of goals and their relative priority. At times key Hamas officials maintained that their goals were Israeli withdrawal from lands occupied in the 1967 war, the end of Israeli occupation, the establishment of a Palestinian state, and a solution to the refugee problem. According to a senior political official, “If these things are implemented, the Palestinians will be satisfied, and they will be busy for more than twenty years building their state” (Sara Roy: 2007, 296). At the same time, its absolutist rhetoric regarding Israel and peace negotiations is backed up by action. Many of the operations carried out by its armed wing appear to have been timed to stall progress in the peace negotiations (Mishal and Sela: 2006, 72-82). Two serious setbacks in the peace process were arguably the elections of Netanyahu in 1996 and Ariel Sharon in 2001 and

¹ For more, see Andrew Kydd and Barbara F. Walter (2002), “Sabotaging the Peace: The Politics of Extremist Violence”, *International Organization*, 56:2, 263-296.

both of which were aided by operations carried out by Hamas and other opponents of the peace process.

Alongside this absolutist set of goals, and in competition with it, resides a more pragmatic, flexible set of objectives. These are reflected in the continuing discussions over the desirability of a permanent ceasefire; the repeated offers to halt the targeting of civilians in return for the Israeli army's termination of killing Palestinian civilians; and suggestions that a two-state solution may be the only realistic way forward. This set of goals is shaped by other factors besides the Palestinian- Israeli conflict, including intra-Hamas power struggles and the jostling for power between the PNA and Hamas.

Moreover, Hamas' behaviour towards the peace process is more mixed than the above picture suggests. Not all armed operations have been carried out in the service of its absolutist goals. The suicide attacks that ended the fragile ceasefire agreement in June 2003 were carried out by a Hamas member in revenge for the killing of an Islamic *Jihad* commander who had been his close friend. It is widely recognised that this was a personally motivated attack that had not been authorized by the Hamas leadership in Gaza because it was expected to damage its interests.² Similarly, the wave of suicide bombings that followed the 1996 killing of its top bomb-maker Yahiya Ayyash were attributed to maverick cells, operating primarily out of personal revenge. Though some analysts claim that the bombings were aimed at derailing Shimon Peres' election campaign, the fact that the Hamas leadership publicly appealed to the maverick cells to stop the operations, on the grounds that they were harming its standing and the Palestinian cause, indicates that they were not part of a well-thought-out campaign (Gunning: 2004, 241). Indeed, it is this very possibility of goading its military wing into acts of retaliation that the Sharon government has exploited at various times when the political leadership of Hamas was observing a tacit ceasefire or on the verge of agreeing

² See Chris McGreal, 'Road map sowed seeds of ceasefire's destruction', *Guardian*, 23 August 2003. <http://www.guardian.co.uk/world/2003/aug/23/israel1> (accessed on 1 April, 2009). See also reports about the occurrence of splinter operations carried out in defiance of the ceasefire declarations of the various leaderships: 'Middle East: cease-fire producing splinter groups', 30 June 2003, <http://www.stratfor.biz> (accessed on 1 April 2009).

to one. More importantly still, during certain periods Hamas has tacitly agreed to acquiesce to the status quo by suspending its operations to allow the peace process to go forward. The six-month undeclared ceasefire prior to the 1996 Palestinian national elections was a case in point. During other periods, Hamas ordered its armed wing to limit its operations to targeting soldiers and settlers inside the Occupied Territories (Gunning: 2004, 242).

Finally, its attempt at undermining the peace process is not solely motivated by rigid, religion-inspired ideology. Besides ideology, there are clearly identifiable strategic reasons for its rejection of the peace process, which suggest that, under different circumstances, it might be willing to settle for peace. From the point of view of Hamas, the peace that was on offer is not a genuine peace but an attempt at consolidating Israel's control of the territories by other means. It does not believe that Israel would voluntarily dismantle the settlements, share control over Jerusalem, and give up the water resources it controls, or agree to lift the economic restrictions that currently constrain Palestinian trade with third countries. Instead, Hamas believes Israel would prevaricate while using the PNA as a substitute security force. In the absence of a powerful external custodian with the political will to force Israel to make sacrifices, Hamas believes that the only way to achieve a viable Palestinian state was through violence. Security is the one 'commodity' Israel craves which the Palestinians can withhold from it, thus providing a much-needed bargaining tool. By signing away the right to violence, Arafat damned Oslo to rejection at the outset.

Another set of reasons revolves around the power struggle between the PNA and Hamas. When Arafat endorsed the Oslo option, his fortunes were at an all-time low. His support for Saddam Hussein during the 1991 Kuwait War had deprived the PLO of the financial support from the Gulf it had hitherto enjoyed and much of these funds found their way instead into the coffers of Hamas. On the street, Hamas had made significant gains, thus becoming a serious threat to the PLO's hegemonic position. The Washington peace process had ground to a standstill, further undermining Arafat's authority. Oslo provided an excellent opportunity to salvage his dreams of statehood, stay in power, and keep Hamas and other contenders (including Fatah's local cadres) out. The peace process itself

can thus be seen as a tool to keep counter-elite out of power. Each subsequent attack on the peace process, by Hamas or other contenders, must therefore be seen as, at least in part, an attack on this elite arrangement (Shamir and Shikaki: 2002, 197). If Hamas were to be included in the peace process, however indirectly, its objections might not be as vehement.

During the years of the Oslo peace process, from September 1993 to September 2000, the political and military sectors of the Islamic movement, in which Hamas predominated, were substantially weakened by a combination of factors. Most significant was the sustained pressure imposed by Israel and the PNA, which weakened the organization from within. In addition, these pressures were imposed on Islamic social institutions and 'terrorist infrastructure,' which resulted in the closing of many charitable organizations. This also affected the Hamas. Another critical factor was the Palestinian population itself. As the mass base of support for Hamas, its dwindling capacity to tolerate the after effects of extremist violence led to the reduction of occurrence of such events. Similarly, the Islamic political sector was weakened by the PNA's successful co-optation of some parts of that sector in newly established Islamic parties or groups that were controlled by the PNA. Examples of such groups were the National Islamic Salvation Party, the National Movement for Change, and the Islamic Struggle Movement. Moreover, with the end of the *intifada* and the initiation of the Oslo peace process, the resistance component of the Palestinian struggle, so critical to the political thinking of Hamas and its action, was undermined. This had direct consequences for its social theory and practice, which were largely shaped during the uprising. For Hamas, social and political actions are inextricably linked. With the removal of the resistance component from the Palestinian political imperatives, Hamas was forced to think about a role that might be acceptable to most Palestinians. This problem confronting Hamas was fundamentally one of survival. Historically, popular support for the Hamas was strongest in the perceived absence of political progress. During the Oslo period, when Palestinians were hopeful of a political settlement, support for Hamas waned, but as the prospects dimmed, support rose incrementally (Roy: 2007, 303).

During the 'interregnum' year between the end of Oslo's five-year interim period in September 1999 and the eruption of the *al-Aqsa intifada* in September 2000, Hamas was at a crossroads (Hroub:2004, 24). Perceiving a threat of marginalization by the PNA with the approach of the final status talks, the movement initially contemplated a course of action that would be tied to developments on the negotiating front. In the end, however, it concluded that its pragmatism and multi-track conduct would allow it to adapt to any eventuality. If the final status talks did not result in an agreement even minimally acceptable to Palestinians, as seemed likely, Hamas, having endorsed no preconceived political program, would continue as before, its strategy unchanged. If, on the other hand, the PNA signed on to a deal, Hamas could simply put its 'resistance' strategy on hold until the agreement, which it was convinced would fall short of Palestinian aspirations, broke down of its own accord. In the meantime, Hamas could reform itself as a political party, confident that it would remain an important force in the Palestinian arena as the embodiment of the ultimate aspirations of the Palestinian people and by virtue of its accomplishments. The start of the *al-Aqsa intifada* on 28 September 2000 dramatically changed the environment in the West Bank and Gaza (Rabbani: 2002). Pre-existing political arrangements were severely disrupted, economic conditions deteriorated, and key social structures weakened. Within this context, Hamas was able to reassert itself in a forceful manner.

Overwhelming weight of opinion among Palestinians, surveying the settlement expansion in the territories, was loss of faith in the incremental approach to a negotiated outcome. This failure of trust in the process was identified as a key element in the popular underpinning to the *intifada*. Palestinians also saw that the Israeli public had likewise undergone a political metamorphosis after Prime Minister Ehud Barak's Camp David initiative, which left many of them hostile to continuing the Oslo process with the existing Palestinian leadership. The growing scepticism about the ability of the incremental process to deliver a just outcome gave renewed credibility to the analysis of groups such as Hamas, which had rejected the Oslo process in 1993 and was now seen as having correctly prophesied the failure of conflict resolution through the autonomy experiment.

At the time that Oslo was signed, however, Hamas had been out of sync with the prevailing popular sentiment, which then favoured a peace settlement marshalled by Yasser Arafat and the PLO. During this period, Hamas questioned the legitimacy of the Oslo process. Nevertheless, it also understood that mounting a challenge to that legitimacy by challenging the PLO/PNA's standing as the representative of the Palestinian people would play into Israel's hands. Observing a nonaggression pact with the PNA, Hamas instead repeatedly called for more democratic structures in the political arena and greater representation in moulding the national position on a final peace with Israel. At the same time, it worked on consolidating its position within the Palestinian community through its social and welfare projects. It also concentrated on its survival, which meant withstanding the security campaigns orchestrated against it by Israel throughout the 1990s, as well as by the PNA responding to external pressures. By the late 1990s, despite mass deportation, arrest campaigns, the banning of its publications, and targeted assassinations, Hamas had increasingly made its presence felt on the landscape of the Palestinian territories, where its popular motifs, the increased wearing of *hijab*, and the sense of living in a more Islamic society had grown.

Since 2000, political support for the PNA, already waning in the last years of Oslo, had ebbed further under the impact of the general militarization of the Palestinian environment; persistent Israeli military incursions, curfews, closed military areas, and closures; and the withering of its own basic service provision as a result of the above. A major factor contributing to undermining the PNA as a unitary governmental authority had been its clear loss of the monopoly of legitimate force, with the emergence of armed elements among the Palestinian factions. The PNA security forces had not necessarily been seen as serving the broad Palestinian national interest but had become an instrument of Fatah, with recruitment policies favouring this political faction over others. The security forces were seen not just as the instrument of Fatah but more narrowly of the Fatah 'old guard.' Even the common Fatah activists had come to share the general public's negative views of PNA security. Moreover, many Palestinians saw these forces not as upholders of the law, neutral in their dealings, but as an exclusive and personalized force subject to the increasing control of local chiefs or warlords. At the same time, as a result of Israel's military response to the *intifada*, various dimensions of the policing

project-including public order policing, traffic policing, serious crimes investigation, and counterterrorism-had been seriously disrupted or had altogether ceased. This was illustrated during the Israel Defence Forces' (IDF) spring 2004 "Operation Rainbow" in Rafah, where the security forces were either absent or powerless to protect the residents. The failure to fulfil one of the most basic obligations of a governing authority-maintaining public safety- had undermined both the legitimacy and the credibility of the PNA. By 2004, there was no single figure in the PNA security service capable of delivering the kind of security guarantees in Gaza that Israel demands. The support lost by the PNA since the outbreak of the *intifada* had run increasingly in favour of Hamas, both in the civilian and security domains. In the absence of a sense of public safety, Hamas has been able successfully to exploit the security vacuum to extend its power and influence over internal security in Palestinian areas, particularly the Gaza Strip.

Hamas has given the impression that, in their understanding, any political manoeuvre would be successful only if it addresses the issues of internal accommodation and power sharing in the Palestinian community. Since 2001, Hamas has worked assiduously toward this end by promoting an internal debate with secular nationalists aimed at reaching a 'national' rather than 'nationalist' position on peace with Israel; for Hamas, 'national' means true representation, including all factions working for Palestinian self-determination, whereas 'nationalist' denotes the narrow interests of the PLO. Elements of the Hamas political leadership contend that there are steps toward rebuilding internal legitimacy that may be available once the crisis of legitimacy has been acknowledged (Milton-Edwards and Crooke: 2004, 43). However, such acknowledgement was not forthcoming. Within the Oslo framework, external actors encouraged Fatah, in return for the power monopoly it received under the accords, to dismantle Hamas, as the price for re-entry into the political process.

In the absence of prospects for a formal peace agreement in the near future, a Palestinian cease-fire at some juncture becomes a likely element in a reciprocal reduction of violence and the beginning of negotiations. In terms of the internal Palestinian dynamic, cease-fire talks could have permitted the Islamists to engage in the political process by circumventing the issue of their dismantlement as required by the U.S. and Israel. More

fundamentally, it could have provided the route whereby Hamas would have been able to recognize the political reality of Israel while continuing to deny its moral or historical justification. Absolute recognition of Israel, which would imply abandoning territory regarded as Islamic *waqf*, would be virtually impossible for an Islamist group, but the importance here should have been the possibility of a significant step toward ending the conflict by implicitly recognizing Israel's political reality.

What makes it possible even to conceive such an outcome whereby Hamas would recognize Israel's political reality is the movement's concept of a long-term cease-fire, which is deeply rooted in the Islamic approach to conflict resolution. This concept, which includes an 'interim option,' provides Hamas with an exit from its formal position demanding the recovery of all historic Palestine. Outlined by Hamas in the early 1990s and repeated since by various spokesmen, the interim option allows for a long-term truce that could last up to fifty years if Israel withdraws from the territories occupied in 1967. As Hamas leader Ismail Haniyeh explained, a cease-fire "would apply, if the occupation (in all its manifestations) were removed from the Palestinians areas to the 1967 borders. It is a withdrawal of the occupation" (Milton-Edwards and Crooke: 2004, 45). Hamas leader Ismail Abu Shanab proposed that the Palestinians select representatives to negotiate with Israel through elections, while Sheikh Yassin, during his imprisonment in Israel, had made plain in correspondence that these representatives could decide to recognize Israel in the context of a negotiated settlement. If mandated Palestinian negotiators reflecting the wishes of the Palestinian people agreed to recognize the political reality of Israel, Hamas explicitly stated that it would accept this outcome. However, at the same time, Hamas has always insisted that a truce would be short-lived and would collapse under the pressure of events unless it was underpinned by the credible prospect of progress toward a Palestinian state, had popular legitimacy, and was reciprocated by Israel.

There is a fear in many quarters, especially among sizable Israeli thinkers that Hamas will never change or give up its long-term ambitions to destroy Israel. The evidence, however, does not sustain the view of Hamas as immutable. Hamas has evolved a political agenda and ideas that have taken the movement a substantial distance from its

Charter of 1988, which called for the total liberation of Mandate Palestine. The movement's mechanism for recognizing Israel, based on the concept of long-term cease-fire, is analogous to the political evolution that occurred at an earlier stage within Fatah. The view that Hamas is totally committed to terrorism and inherently incapable of accepting a negotiated settlement can be refuted. Despite its religious nature, it remains a national Palestinian movement centred on mobilizing the community towards resistance against a perceived illegal occupation. Only recently did it adopt tactics defined as primarily terrorist. The critique of Hamas is very much intertwined with the fiercely debated issue of armed struggle versus terrorism shaped by the phenomenon of suicide operations, which are conducted not only by Palestinian Islamists but by secular Palestinian factions as well. Their inclusion in the political process rests less on the judgment of their reliability as a partner for peace than on the fact that any outcome that deliberately excludes such a major current of Palestinian politics is unlikely to prove durable. Agreement without the Islamist movement might be possible in the short term, but it would almost certainly break down in the long term.

Chapter 4

Response to the Peace Process

Some of the best-informed observers of the Israeli– Palestinian conflict believe that no lasting peace between Israel and the Palestinians is possible without its participation. Efraim Halevy, former head of the Mossad made the following observation:

“ Hamas constitutes about a fifth of Palestinian society. Because they are an active, engaged and aware group, they have more political weight. So anyone who thinks it's possible to ignore such a central element of Palestinian society is simply mistaken. Anyone who thinks that Hamas will one day evaporate is similarly mistaken. Abu Mazen (Mahmoud Abbas, the Palestinian Prime Minister) will not kill thousands of Palestinians in order to overcome the Islamic movements. In my view, then, the strategy vis-à-vis Hamas should be one of brutal force against its terrorist aspect, while at the same time signalling its political and religious leadership that if they take a moderate approach and enter the fabric of the Palestinian establishment, we will not view that as a negative development. I think that in the end there will be no way around Hamas being a partner in the Palestinian government. I believe that if that happens there is a chance that it will be domesticated. Its destructive force will be reduced” (Shavit: 2003).

In the five years between its establishment and the signing of the Oslo Accords, Hamas gradually mounted an unprecedented challenge to the PLO's exclusive claim to the leadership of the Palestinian people. The PLO responded by attempting to co-opt the movement. Hamas evaded incorporation by putting forth conditions unacceptable to the PLO such as revoking its recognition of United Nations Security Council Resolution 242 and an allocation of forty percent of seats in the Palestine National Council. By October 1991, due to its increasing support, Hamas was in a position to mount a counter challenge to the peace efforts to be launched in Madrid. It formed a ten-faction coalition, including

the Popular and Democratic Fronts for the Liberation of Palestine, both being members of the PLO, at a 'counter conference' held in Tehran.

A practical programme of opposition throughout 1991, 1992 and 1993 accompanied the opposition of Hamas to the process of dialogue and negotiation with the Israel. Hamas launched an intensive propaganda campaign against the Palestinian National Conference's 1988 resolution, invoking Islamic beliefs to delegitimize the PLO's efforts to achieve a settlement with Israel over the West Bank and the Gaza Strip. This programme of activity to resist the peace process included a variety of means and methods. One method was the public condemnation campaign organized by Hamas (Milton-Edwards: 1996, 204). The same level of vehemence was evident in the opposition to the signing of the Oslo Agreement in September 1993. Hamas condemned the PLO, and later the Palestinian National Authority (PNA), for their willingness to recognize Israel at the price of abandoning most of the Palestinian territories.

The effect of the Oslo agreement on the Hamas was reflected in the internal debates among its activities. The Islamic movement entered a period of intense internal debate, which resulted in a reformulation of approach and further discussion over strategy. This internal debate over the political conditions addressed issues such as internal democracy in the Palestinian arena, elections, the formation of a political party, dialogue with the PNA, education and welfare policies and other issues. In one sense, the political march stolen by the PLO through the Oslo Accords has benefited Hamas by pushing it to address its own future. Its response to the peace process, and the issues raised therein, can be understood by analyzing its approach towards the issue of *Jihad* and the use of violence, and participation in elections.

Issue of *Jihad*

The efforts by Hamas to justify its position can be understood by analyzing its attitudes and policy regarding *jihad* against Israel and participation in the PNA's institutions, or a temporary peaceful settlement. Having defined Palestine as an Islamic endowment (*waqf*) of the Muslim world as a whole, *jihad* was portrayed not only as a duty but also as the

only legitimate way to retrieve Palestine in its entirety. According to this view, the Muslims' right to establish an Islamic state in the territory of Palestine left no option for a dialogue or a political settlement with Israel. Thus, *jihad* was seen as articulating the true aspirations of the Palestinian people. However, such maximalist viewpoints were altered by the conclusion of the Oslo agreement. The agreement put an end to the *intifada*, which had provided Hamas with ideal conditions to emerge as a political alternative to the PLO. The position taken by Hamas in response to this challenge demonstrated conformity with its formal doctrine while showing signs of political flexibility. Patterns of political adjustment in terms of calculated violence, measured participation, and coexistence with the PNA's emerging institutions became the main features of its political conduct (Mishal and Sela: 2006, 46-47).

The fact that Hamas realized the threat posed by the Oslo agreements is indicated by its willingness to seek an agreement with the PLO. Through such an agreement, Hamas was trying to prevent the use of force against its members by the Fatah. A six-point agreement was reached in a joint statement issued by the *Izzeddin al-Qassam Brigades* and Fatah forces in May 1994, shortly before the signing of the Cairo agreement. This was aimed at enhancing national unity and preventing internal war. Under the agreement, the two sides were to avoid violent disputes, commence a 'constructive dialogue', and establish joint conciliation committees to resolve disputes. This agreement was also meant to serve as a model in resolving tensions between local Hamas and Fatah activists (Mishal and Sela: 2006, 68). However, a peaceful coexistence with the PNA by way of abandoning violent struggle against Israel would risk its distinctiveness as the leading movement for the liberation of Palestine. Giving up on *jihad* could destroy Hamas as a political power. At the same time, it had to consider the response of the Palestinian population as well, which was in support of the peace process, at least in the initial months. Its resort to controlled violence might also have been based on the assumption that selective attacks on Israeli targets would be beneficial to the PNA, to hasten Israel's withdrawal from the Occupied Territories. However, even if this line of reasoning existed in the decision-making circles of Hamas, it did not prevent its leaders from instructing its cadres to reiterate to the Palestinian public that the Oslo accord was illegitimate and even inconsistent with the UNSC Resolution 242, which called for Israel's withdrawal to its 1967 borders. Hamas

line of argument was that *jihad* was legitimate and necessary under the continued Israeli occupation.

Nonetheless, senior Hamas members in the West Bank and Gaza were divided between two major trends regarding the use of violence. First was a politically oriented position of being willing to adjust to the new political realities and, following the establishment of the PNA in June 1994, of attempting to arrive at an agreement that would pave the way for a legal and open political presence for Hamas. The second was the militant position, which insisted on the continuing armed struggle and objected to any agreement with the PNA that would end its activities. This militant position was supported by the “outside” political leadership, whereas the “inside” leadership in West Bank and Gaza, which was weakened by the imprisonment of Sheikh Yassin and other leading members, was in favour of the more accommodative viewpoint (Mishal and Sela: 2006, 71).

Hamas was aware of the limits of its power on both the intra-Palestinian and regional levels and, therefore, calculated its strategy on the basis of pragmatic considerations. *Jihad* was, under such circumstances, subordinated to political calculations. In the first few months after the Oslo agreement was signed, Hamas escalated its armed attacks against Israeli civilian targets. Overall, though, its policy of controlled violence against Israel persisted well after the signing of the DoP. Calculated policy based on pragmatic interpretation and negotiated profit-loss considerations rather than on bondage to a stated doctrine and rigid dogma, thus, characterized its mode of operation. Succinctly expressing the shifting interests and the pragmatic policy on suicide attacks against Israel in the wake of the DoP, the head of its political bureau, Musa Abu Marzuk, said: “Military activity is a permanent strategy that will not change. The modus operandi, the tactics, means and timing are conditional on their benefit. They will change from time to time in order to inflict the heaviest damage on the occupation” (Mishal: 2003, 577). With its continued insistence on the use of violence against Israel, successful implementation of the DoP became dependent on the PNA’s capability and willingness to prevent Hamas and other Islamist groups from resorting to violent means. Continued attacks against Israeli civilian targets risked jeopardizing the peace process. This would have portrayed Hamas among the Palestinians as an obstacle to further concessions by Israel and, thus,

would have eroded the movement's support among the Palestinian masses (Milton-Edwards: 1996, 163). Hamas sought to bridge this gap by walking a thin line between maintaining its political autonomy and coexisting with the PNA. On a practical level, it meant pursuing a policy combining violence against Israel with a propaganda campaign to expose DoP's weaknesses, and avoidance of violent confrontation with the PNA.

That its armed struggle was perceived as a means, and not a goal in its own right, was made clear by the movement's leading figures in Gaza. Probably the most outspoken was Mahmud al-Zahhar. In his words,

“We must calculate the benefit and cost of continued armed operations. If we can fulfil our goals without violence, we will do so. Violence is a means, not a goal. Hamas' decision to adopt self-restraint does not contradict our aims, including the establishment of an Islamic state instead of Israel...We will never recognize Israel but it might be possible that a truce (*muhadana*) would prevail between us for days, months or years...” (Mishal and Sela: 2006, 71).

It was against this backdrop and fears of confrontation with the PNA, that Hamas leaders repeatedly proposed, in 1995, a conditional cease-fire (*muhadana or hudna*) with Israel. Although many of the Hamas leaders spoke in favour of the cease-fire, there was no agreement on its terms. The legitimacy of the cease-fire, *hudna*, as a phase in the course of a defensive *jihad* against the enemies of Islam has been widely discussed—and accepted—by both radical and more moderate Islamic scholars since Egypt's President Anwar Sadat signed a peace treaty with Israel in 1979. The concept was justified by historical precedents ranging from the Prophet's treaties with his adversaries in Mecca (the Treaty of *Hudaybiyya*, 628 A.D.) and the Jews of al-Madina, to the treaties signed between Salah al-Din al-Ayyubi and other Muslim rulers and the Crusaders. The common denominator of these precedents is that they were caused by Muslim military weakness and concern for the well-being (*maslaha*) of the Islamic community, and were later followed by the annulment of the temporary ceasefire, renewal of war and final defeat of Islam's enemies. In retrospect, these cases of *hudna* were legitimized in political terms and interpreted as necessary and temporary pauses on the road of *jihad* against the infidels (Mishal: 2003, 578).

The *hudna* approach found expression in various statements made by Sheikh Ahmed Yassin during the first *Intifada* of 1987 and the *al-Aqsa Intifada* of 2000. First, Hamas did not rule out the possibility of a Palestinian state in the West Bank and Gaza Strip, provided that this was considered the first phase toward the establishment of a state in all of Palestine, an Islamist euphemism for the destruction of the State of Israel. Second, Hamas was ready to consider international supervision in the territories after the Israeli withdrawal if it were limited in time and did not require direct, clear-cut concessions to Israel. Third, Hamas would reject any attempt to enter into political negotiations with Israel over a peace agreement as long as the Israeli occupation continued; however, Hamas would not exclude such an initiative after a full withdrawal by Israel. The aim behind the *al-Aqsa Intifada* in September 2000, argued Sheikh Ahmed Yassin, was to set up a Palestinian state in the territories that were seized in the Arab-Israel War of 1967 (Mishal: 2003, 578).

Yassin's statements reflected a growing tendency within Hamas, prior to the 1993 Oslo accord, to bridge the gulf between the movement's ways of dealing with the reality while maintaining a strong and seemingly unbending stand on its ideology. By adopting a strategy of neither full acceptance nor total rejection of the PLO's program of political settlement, Hamas was able to justify its position in normative terms, explaining such 'concessions' as tactical moves. While a final peace settlement with Israel was forbidden, Hamas left open the option of an agreement with Israel, provided it assumed a temporary form denoting neither peace (*salam*) nor final conciliation (*sulh*). Acceptance of a political settlement in the short run was interpreted as being complementary, not contradictory, to long-term desires.

Another dimension to the policy of controlled violence was that its attacks could hardly be anticipated. This fact raises the question of the final say on the decision to undertake such operations, whether the decisions were the result of political deliberations or local initiatives. Hamas perceived the Oslo accord and the 1994 Cairo Agreement as a threat to its very existence. The more this threat seemed real, as a result of the progress made in diplomacy between Israel and the PNA, the more willing Hamas was to resort to violence despite the risk to its dialogue with the PNA. At the same time, Hamas sought to reduce

this risk by describing these violent attacks against Israel as unavoidable acts of self-defence or as revenge for Israel's killing of Palestinians. It feared that any progress in the Israel-PNA peace process would mean further restriction of its opportunities as a mass movement prompted it to use even more violence. A successful Oslo would have delivered a deathblow to Hamas and its *raison d'être*. Taking into account this recognition Hamas must adjust to the new political reality. It can be argued that its campaign of suicide attacks against Israeli civilians was not aimed only at undermining the peace process. These attacks were also meant to enhance its prestige among the Palestinians and to force Arafat to come to terms with it. The signing of the Taba accord in September 1995 made Hamas leaders inside the territories decide to suspend the suicide attacks against Israel to avoid interrupting the Israeli withdrawal from the Palestinian cities and preparation for elections to the PNA Council, which could upset the Palestinian public. Hamas leaders in the areas controlled by the PNA sought an agreement with Israel through the PNA on a mutual cessation of hostilities. Hamas would sign a formal agreement with the PNA, but not with Israel, and in return, Israel would stop pursuing the movement's activists and release Sheikh Yassin from prison. However, the "outside" leadership of Hamas was against such a truce and rejected it (Mishal and Sela: 2006, 74). Such internal squabbling was witnessed throughout the period of the peace process.

Being fully aware of the Palestinian's initial relief at Israel's withdrawal from the Occupied Territories, Hamas implemented a strategy to secure its popularity among the Palestinians while arousing public resistance to the Oslo peace process. The strategy was also aimed at absolving Hamas of any blame of causing the process to fail (Mishal and Sela: 2006, 81). The goal was to demonstrate the inherent imbalance of the agreement with Israel, which would have the effect of perpetuating Israel's hegemony over Palestinians, and usurpation of their lands. Hamas pursued a mixed policy of violence against Israel and a willingness to maintain a dialogue and coexistence with the PNA, despite the political differences between the two. Hamas usually staged its violent attacks against Israel in reaction to the latter's operations against the Palestinians. This was done to offset the damage to its popularity because its actions were perceived to cause adverse economic conditions and delay the removal of Israeli occupation.

This two-track policy adopted by Hamas forced the movement to maintain a fine balance, which sometimes manifested in the form of contradictions leading to a temporary failure of the policy. However, by pursuing such a policy, Hamas was able to avoid a serious collision with the PNA. One factor which helped Hamas pursue this policy was the differing attitudes shown by Hamas spokesmen, who protected the movement from repressive measures against its constant support base: the civilian institutions. Since the vast network of religious and social charities was largely intact, even during times of severe confrontations, Hamas found it relatively easier to pursue its policies. Had the PNA been able to uproot Hamas from its network of communal infrastructure of mosques and social, educational, and welfare associations, the latter would have found it tougher to continue with the policy of controlled violence. The PNA, however, had limited options in dealing with these institutions. Any action against these would have been portrayed as steps taken not against Hamas, but against the poor people who relied on them for basic services and, in many cases, survival. At the same time, the PNA could not uproot Islamic violence, not only because of the unclear chain of command in the Hamas hierarchy in West Bank and Gaza, but also because the real power resided with the Hamas Political Bureau, which was out of its reach.

Al-Aqsa Intifada

The uprising was plagued by an absence of unified leadership right from its outset. A variety of political forces simultaneously pursued different strategies, thereby undermining each other's progress. The PNA was determined to achieve Palestinian statehood through a negotiated settlement with Israel and, thus, shunned the role of leadership. It wanted to avoid the domestic and international consequences of asserting the formal command of an uprising it was unable to control. The PNA security forces were under strict instructions not to participate as an organized force except for the purpose of territorial self-defence. However, while overtly obstructing the paramilitary formations, they did covertly assist such forces whenever the situation so demanded. In visible contrast to the PNA, the Fatah cadres, especially the younger generation, seized upon the uprising as a strategy. By assuming leadership of the rebellion during its early

stages, Fatah transformed it into a war of attrition to counter the Israeli occupation and in the process eclipsed the already discredited PNA/PLO elite. By presenting itself as the main agent of Palestinian independence, Fatah also sought to reclaim from the Islamist movement its role as leader of Palestinian resistance to Israel. But Fatah could not subordinate either the PNA or the other political factions to its agenda, nor did it sufficiently mobilize the civilian population. These deficiencies clearly reflected its fractiousness. Hence, Fatah had neither the advantage of strategic hegemony nor the popular base required to wage a successful guerrilla war (Rabbani: 2002, 7).

For its part, Hamas used the freedom created by the uprising to rebuild its infrastructure and intensified its military campaign that consciously went well beyond that espoused by Fatah. Where Fatah confined its attacks to the Occupied Territories, Hamas upstaged its nationalist rivals by retaliating against Israeli killings within the West Bank and Gaza Strip with deadly suicide bombings inside Israel. It was a tactic guaranteed to score with a Palestinian public enraged by the actions of the Israeli military. Popular support emboldened Hamas to periodically derail diplomatic initiatives which would have strengthened the PNA at its expense and, eventually, saw Fatah expand its own operations across the pre-1967 boundaries. The escalation of the Hamas campaign against Israel systematically weakened the PNA and stole Fatah's thunder and was consistent with the agenda of the radical faction within the Hamas leadership, which believes the movement was prepared for power. More generally, Hamas was convinced that the systematic disruption of normal life within Israel- with its attendant socio-economic consequences- is the most effective method of forcing an end to the occupation.

Suicide Terrorism

At a practical level, Hamas' decision of resorting to violence manifested in the form of suicide attacks, or as 'suicide terrorism'. Suicide terrorism does not occur in the same circumstances as military coercion used by states and these structural differences help to explain the logic of the strategy. In virtually all instances of international military coercion, the coercer is the stronger state and the target is the weaker state. Suicide

terrorism (and terrorism in general) occurs under the reverse structural conditions. In suicide terrorism, the coercer is the weaker actor and the potential target is the stronger. As happened in other parts of the world, such violence are directly targeted innocent civilian population. According to Robert A Pape, suicide terrorism has three properties that are consistent with the above strategic logic but not with irrational or fanatical behaviour:

- (1) timing- nearly all suicide attacks occur in organized, coherent campaigns, not as isolated or randomly timed incidents;
- (2) nationalist goals- suicide terrorist campaigns are directed at gaining control of what the terrorists see as their national homeland territory, specifically at ejecting foreign forces from that territory; and
- (3) target selection- all suicide terrorist campaigns in the last two decades have been aimed at democracies, which make more suitable targets from the terrorists' point of view. Nationalist movements that face non-democratic opponents have not resorted to suicide attack as a means of coercion (Pape: 2003, 347).

The most important indicator of the strategic orientation of suicide terrorists is the timing of the suspension of campaigns, which most often occurs based on a strategic decision by leaders of the terrorist organizations that further attacks would be counterproductive to their coercive purposes- for instance, in response to full or partial concessions by the target state to the terrorists' political goals. Such suspensions are often accompanied by public explanations that justify the decision to opt for a 'cease-fire.' Further, the terrorist organizations' discipline is usually fairly good; although there are exceptions, such announced cease-fires usually do stick for a period of months at least, normally until the terrorist leaders take a new strategic decision to resume in pursuit of goals not achieved in the earlier campaign. This pattern indicates that both terrorist leaders and their recruits are sensitive to the coercive value of the attacks (Pape: 2003, 347).

The suicide attacks carried out by Hamas in 1995 to compel Israel to withdraw from towns in the West Bank act as a perfect example of the logic given by Pape. Hamas leaders deliberately withheld attacking during the spring and early summer to give PLO

negotiations with Israel an opportunity to finalize a withdrawal. However, when in early July, Hamas leaders came to believe that Israel was backsliding and delaying withdrawal, Hamas launched a series of suicide attacks. Israel accelerated the pace of its withdrawal, after which Hamas ended the campaign. Mahmud al-Zahhar, a Hamas leader in Gaza, announced, following the cessation of suicide attacks in October 1995:

“We must calculate the benefit and cost of continued armed operations. If we can fulfil our goals without violence, we will do so. Violence is a means, not a goal. Hamas' decision to adopt self-restraint does not contradict our aims, which include the establishment of an Islamic state instead of Israel...We will never recognize Israel, but it is possible that a truce could prevail between us for days, months, or years” (Mishal and Sela: 2006, 71).

At the same time, suicide terrorism is a high-cost strategy, one that would only make strategic sense for a group when high interests are at stake and, even then, as a last resort. The reason is that suicide terrorism maximizes coercive advantage at the expense of support among the terrorists' own community and so can be sustained over time only when there already exists a high degree of commitment among the potential pool of recruits. Still, even if suicide terrorism follows a strategic logic, some suicide terrorist groups have not been realistic in expecting the full concessions demanded of the target, but this is normal for disputes involving overlapping nationalist claims and even for coercive attempts in general. Rather, the ambitions of terrorist leaders are realistic in two other senses. First, suicide terrorists' political aims, if not their methods, are often more mainstream than observers realize; they generally reflect quite common, straightforward nationalist self-determination claims of their community. Second, these groups often have significant support for their policy goals versus the target state, goals that are typically much the same as those of other nationalists within their community. Differences between the terrorists and more ‘moderate’ leaders usually concern the usefulness of a certain level of violence. Thus, it is not that the terrorists pursue radical goals and then seek others' support. Rather, the terrorists are simply the members of their societies who are the most optimistic about the usefulness of violence for achieving goals that many, and often most, support (Pape: 2003, 349).

The behaviour of Hamas, again illustrates this point. Hamas' resort to terrorism has provoked Israel's retaliation that has been costly for Palestinians, while pursuing the apparently unrealistic-goal of abolishing the state of Israel. Although prospects of establishing an Arab state in all of 'historic Palestine' may be poor, most Palestinians agree that it would be desirable if possible. The terrorist violence pursued by Hamas was at times carefully calculated and controlled. In April 1994, as its first suicide campaign began, Hamas leaders explained that 'martyrdom operations' would be used to achieve intermediate objectives, such as withdrawal by Israel from the West Bank and Gaza, while the final objective of creating an Islamic state from the Jordan River to the Mediterranean may require other forms of armed resistance (Shikaki: 2002).

Not counting the *al-Aqsa intifada*, Hamas waged four separate suicide attack campaigns against Israel, in 1994, 1995, 1996, and 1997. One, in 1996, did not correspond with Israeli concessions. This campaign was announced as retaliation for Israeli killing of a Hamas leader. The other three corresponded with Israeli concessions. In April 1994, Hamas launched a series of suicide attacks in response to the Hebron massacre. After two attacks Israel decided to accelerate its withdrawal from Gaza, which was required under the Oslo accord, but was delayed. Hamas then suspended attacks for five months. From October 1994 to August 1995, Hamas carried out a total of seven attacks. In September 1995, Israel agreed to withdraw from certain West Bank towns that December, which it had earlier claimed could not be done before April 1996 at the earliest. Hamas then suspended its attacks. Finally, Hamas undertook another suicide campaign from March to September 1997 which did not result in any significant Israeli concessions (Pape: 2003, 352). In most cases, Israel made significant concessions in the direction of the terrorists' cause and it can be argued that these Israeli concessions increased their confidence in the coercive effectiveness of suicide attack. However, there is an important alternative explanation for Israel's concessions in these cases-the Israeli government's obligations under the Oslo Accords. Although the Oslo Accords formally committed to withdrawing the IDF from Gaza and the West Bank, both sides routinely missed key deadlines and the military wing of the Hamas came to believe that Israel would not have withdrawn when it did, and perhaps not at all, had it not been for the coercive leverage of suicide attack. Moreover, this interpretation of events was hardly unique. Hamas might have had

motives other than coercion for launching particular attacks, such as retaliation, gaining local support, or disrupting negotiated outcomes it considered insufficient (Kydd and Walter: 2002).

Issue of Political Participation

Hamas' political strategy of neither official recognition nor total rejection of the PNA has been apparent in the movement's internal debate and concrete behaviour concerning its participation in the PNA's executive and representative institutions. Survivability and continued growth required access to power and resources. On the other hand, Hamas had a vested interest in minimizing the damage accruing to its political reputation by its participation in the PNA, as it might be construed as a deviation from its religious dogma. Taking into account its refusal to publicly recognize the PNA, involvement in its administrative apparatuses without either an official presence or direct representation would furnish a useful means to gain some benefits from the post-Oslo processes without paying the political cost of endorsement. Moreover, involvement would act as a safety valve for Hamas, reducing the threats to its continued activity and public support. Indeed, the strategy of participation through unofficial presence dictated its behaviour on the incorporation of its members into the PNA's executive bodies. Hamas encouraged its adherents to join the PNA's administrative organizations on a personal basis. It also justified this by distinguishing between two perceptions of the PNA: as a sovereign political power, but also as an administrative apparatus geared to provide services to the public. While the former image represented political principles and national symbols, the latter was perceived to be instrumental, linked to reality. As a political centre committed to enforce exclusive authority that articulated common symbols and collective beliefs, the PNA was denied its legitimacy. However, as an administrative apparatus designated to enforce law and order and provide employment and services to the community, the PNA could be acknowledged.

The question of elections and participation in a future Palestinian polls and what form that participation would take reflects the depth of internal political debate and the

political maturity of the organization in the post-Oslo environment. The Hamas election debate addressed two levels: first, localized elections to Palestinian labour associations, professional groups, municipalities and student councils, etc; and second, elections proposed under the Oslo framework. The DoP makes the following provision for elections: that they were to be free, direct and according to democratic principles to elect an executive council of the PNA. Elections, according to the DoP, were to take place nine months after the DoP and after the redeployment of Israeli troops. This election schedule was not met in May 1995 when Palestinian and Israeli negotiators met in Cairo to work out arrangements for the holding of elections, the timetable for Israel's troop deployment, the number and powers of the executive council to be elected. What had been agreed as part of these ongoing discussions was that there would be a direct election for the President of the PNA. Prime Minister Yitzhak Rabin had assured the Palestinians that there would be elections by the end of 1995. Elections in West Bank and Gaza, based on the DoP, were eventually held on 20 January 1996. The approach of Hamas to the elections was closely linked to two overriding considerations. Firstly, the PNA's political program with which Hamas would be identified by participating in the elections that were bound to legitimize the PNA and, implicitly, the DoP. Secondly, whether there was any prospect of Hamas playing a significant political role in the PNA.

The response of Hamas to the elections debate has been characterized by two approaches. The first was dependent upon the nature of the executive council and its relationship to the PNA and the second on whether Hamas would form its own political party to contest future elections. The two aspects of this debate also centred on the question of the secular approach to democracy promoted in the Palestinian community. This view of democracy is not necessarily shared by Hamas, but nevertheless it demanded a response from the organization if elections were to be held according to these secular-democratic principles. In this field, the leadership of Hamas turned the politics of pragmatism into a 'fine art and a positive attribute' (Milton-Edwards: 1996, 216). The leadership of Hamas knew that, while supporting and participating in local elections- as it had done for a number of years- it was important for the movement to leave the door open for future national polls if it was to remain a viable political player. Even a commitment to *jihad* would not necessarily preclude the Islamic movement from forming political parties for seeking

elected office. Hamas could further justify its position in terms of its public commitment to serve the Palestinian community. The vacillations that characterized its attitude towards the elections since the signing of the DoP ultimately evolved into a kind of 'positive ambivalence' (Mishal and Sela: 2006, 135). It meant that Hamas avoided official participation in the elections and hence the legitimization of the DoP, but still displayed an informal presence in the election process to avoid political marginalization. While explaining its decision to boycott the elections, Hamas said that it was not against the principle of elections but against the dissatisfactory terms of the Oslo accords, especially Israel's insufficient withdrawal from the Occupied Territories and the inadequacy of the election rules. Within the framework of a passive boycott of the elections, Hamas encouraged persons identified as Islamists, or even its own members, to run as independent candidates. Hamas also called upon its followers to exercise their franchise in favour of Islamic candidates. This move represented a realistic approach that recognized the strong public excitement about this unprecedented civil right.

The strategy of unofficial participation also determined its stand on placing its members in the PNA's executive apparatuses. Similar to its attitude toward participating in the elections, Hamas encouraged its supporters to join the PNA's administrative organization on their own. This stand was justified by viewing the PNA not just as a sovereign political power but also as an administrative organization to provide services to the people. In the words of Mahmud Zahhar,

“There is a difference between a clerk in the educational department and applying a policy to the educational department. Members of Hamas work in the departments of education, health, and agriculture...but everyone knows that we do not take part in those departments whose task is to implement the political Oslo agreements.” (Mishal and Sela: 2006, 138)

Hamas regarded its active presence in the PNA's administrative organization not only as a means to exercise its social influence but also as a guarantee against any attempt by the PNA to impede the Islamic movement. However, Hamas leaders did admit that their acquiescence to the PNA and their willingness to accept the Palestinian people's decision to take part in the electoral process reflected the movement's weakness in view of the

intra-Palestinian, regional, and international reality created by the Oslo agreement (Mishal and Sela: 2006, 139). Hamas acted on the belief that patience and flexibility was needed to guarantee the movement's uninterrupted communal activity. Thus, Hamas encouraged its members to vote in the elections and support the candidates identified with Hamas, but as individuals, not as members of a party. At the same time, Hamas encouraged its members to join the PNA's executive offices, but not to accept any position with political significance. In both cases, Hamas relied on the chance of attaining political mileage without paying a symbolic price. Moreover, with this strategy, the likelihood of consent by Hamas leaders both "inside" and "outside" was thought to be high.

In sum, then, it was apparent that there was a movement within the ranks of Hamas towards partial recognition of the Oslo framework vis-à-vis the election process. This view takes account of the political variables involved both in abstaining from and participating in elections for president of the PNA and the PNA's legislative council. Ultimately, the forces in favour of boycotting this election prevailed with the argument that participation would bestow legitimacy on the product of a peace process promoting values largely at odds with the forces of political Islam in the West Bank and Gaza Strip. Thus, when the election took place in January 1996 Hamas candidates were absent from the electoral platform and Yasser Arafat was elected president of the PNA. The debate about the electoral process, democracy and the formation of a party representing the political views of Hamas in the West Bank and Gaza Strip was not dead. Hamas have left the door open on this debate, it remains another strategy open to the organization in its attempts to achieve its goals.

Thus, although Hamas propaganda continued to discredit and delegitimize the PNA's leadership, Hamas was careful not to alienate the rank and file within the PNA administration. This approach, and the PNA's policy of preferring coexistence over confrontation with Hamas, led the latter, as early as October 1993, to instruct its adherents to refrain from creating a hostile atmosphere against the Palestinian police. On the contrary, police officers were to be encouraged to collaborate in Hamas armed actions against Israel.

In addition, Hamas encouraged its members to fill official positions in the West Bank religious establishment, explaining that these were administrative positions, providing services to the community, without bearing representative significance. By reducing the significance of participation in the PNA's administration to the individual level and underlining its executive aspects, Hamas could benignly portray such participation as unofficial, with no political or symbolic meaning (Mishal: 2003, 580).

The willingness of Hamas to maintain a negotiated coexistence with the PNA was reciprocated by the latter on grounds of cost-benefit calculations and realistic considerations of political survival that consist of a process of interdependence involving both parties. Although Arafat sought to weaken and divide Hamas and co-opt it into the PNA, his cautious policy also reflected a preference for dialogue over head-on collision. Since neither side could sustain the price of a full-fledged attempt to eliminate the other, both preferred cautious acquiescence to the other's existence, rather than risking their public legitimacy in a showdown. Nowhere was this better illustrated than in the events of June 2002. In the wake of suicide bombing attacks in Israel and intense international pressure, and following President Bush's speech calling for the replacement of Arafat, the PNA head ordered Sheikh Yassin to be put under house arrest. Yassin's followers viewed the actions by the head of the Palestinian Authority very gravely and one of his followers claimed that while the Sheikh wanted to advance the cause of *jihad*, the Palestinian Authority "[wants] to prevent *Jihad*." Sheikh Yassin's response, however, was significantly different, reflecting his understanding of the interdependence between Hamas and the PNA and his ongoing attempts to prevent open conflict between his followers and the PNA. Yassin described Arafat's actions as the result of overwhelming pressure because "there is an Israeli side, which is very strong, supported by the American side, which is very strong, and there is the Palestinian side, which is very weak . . . so the Palestinians compromise." (Fisher: 2002)

Hamas adopting a policy of dialogue and coexistence with the PNA has also enabled it to perceive its relationship with the PNA as an intermediate situation of prolonged tensions and contradictions, to be dealt with by institutional arrangements and normative devices that mitigate the antagonism rather than resolve it. In this respect, Hamas has usually

avoided adopting rigid political doctrines about its relations with the PLO, and later with the PNA, opting instead for temporary accommodation. Hamas, then, does not live up to its world image of a one-track organization with monolithic, unshakable, fundamentalist interests. In fact, if Hamas were to adopt such an unbending approach, it would be counterproductive, increasing its isolation in the local Palestinian, inter-Arab, and international arenas.

The main feature of its response to the peace process and its political conduct was: adjustment. This reflected its efforts to avoid making decisions about its conflicting commitments to an Islamic Palestinian nation and to communal interests. It was the overbearing nature of its commitment to the communal interests that made Hamas opt for a negotiated coexistence rather than going for an all-out confrontation with Israel or the PNA, as an all-Islamic vision would have required. Its strategies reflected neither full acceptance nor full rejection of the political order which took birth as a result of the Oslo accords. Officially, it continued to refuse any kind of recognition for the peace process or its resultant political structures, but at the same time, it continuously strove to achieve a peaceful coexistence with the resultant body, namely, the Palestinian National Authority.

CONCLUSION

Hamas was born out of the *intifada*, which marked the beginning of the political revival of Islamic ideology in the West Bank and Gaza Strip in the face of Israeli occupation on the one hand, and the national secular forces led by the PLO on the other. The genesis of Hamas represented a shift in focus of the Islamic movement in Palestine, specifically of the *Mujamma*, from the universal Islamic vision to the Palestinian national aspirations. The emergence of Hamas in the wake of the outbreak of the first *intifada* and after the uprising had been perceived as durable reflected the internal debate within the Islamic movement over the future course of action required to maintain and enlarge the public support base. It was essentially an attempt at bridging the gap between Palestinian nationalism and Islamism, on the premise that thrust in one direction would hasten the realization of the other. Hamas, therefore, challenged the PLO's claim to exclusive national leadership and portrayed itself as the true champion of the core Palestinian aspirations and defined the national struggle in religious terms.

The Oslo Accords came about partly as a result of Hamas' challenge to the PLO and Israel. In turn, the agreement has been the greatest challenge faced by Hamas, as the movement had realised that its own success and even relevance was contingent upon failure of the peace process and Yasser Arafat's efforts at accommodation with Israel. The establishment of the Palestinian National Authority (PNA) in Gaza and Jericho threatened Hamas' popular position, especially the 'outside' leadership's domination of the movement in the Occupied Territories. The challenge heightened the tension between the 'outside' leadership and the local leaders. On the issue of political participation and dialogue with the newly established PNA, the two groups had opposing ideas. The 'outside' leaders preferred to avoid any response to the initiatives aimed at incorporating Hamas into the new political entity. On the other hand, the 'inside' leadership, fearing political oblivion, were willing to consider such initiatives. A policy of adjustment was arrived at by both the camps, based on the realisation of Hamas' internal weakness, and the awareness that a strategy of all-out confrontation, in an attempt to undermine the Oslo process, would have entailed very high costs. This adjustment was practically transpired

as Hamas' participation in the local body elections, while maintaining a distance from the 1996 elections for the PNA. The strategy followed by Hamas leadership was aimed at avoiding total political oblivion, while at the same time maintaining a presence in the Palestinian political arena which would be hard for any concerned group to ignore. In this respect, Hamas has usually avoided adopting rigid political doctrines about its relations with the PLO, and later with the PNA, opting instead for temporary accommodation.

Being aware of the Palestinian's initial relief at Israel's withdrawal from the Occupied Territories, Hamas pursued a strategy to secure its popularity while arousing public resentment against the peace process, but without itself being accused of sabotaging the process. Hamas pursued a mixed policy of violence against Israel and a willingness to maintain dialogue with the PNA. This policy sometimes entailed contradictions that led to temporary failure of the policy. Nevertheless, due to such a policy, Hamas was able to avoid an irreversible and debilitating collision with the PNA. Both Hamas and the Fatah-led PLO, and later PNA, preferred cooperation over confrontation because both sides were aware of the social circumstances and political reality in which they operated. Any attempt to remove the other from the political stage would be too costly and futile. Both, therefore, preferred to pursue a strategy aimed at minimising the disadvantages of accommodation rather than strive for a new political order that excluded the other. The willingness of Hamas to maintain a negotiated coexistence with the PNA was reciprocated by the latter on grounds of cost-benefit calculations and realistic considerations of political survival that consist of a process of interdependence involving both parties. The Hamas leaders resorted to the gradualist 'policy of stages' inherited from the Muslim Brotherhood, which provided them with a considerable scope for pragmatism.

For Hamas, the peace that was on offer was an attempt at consolidating Israel's control of the territories by indirect means. Hamas believes that the only way to achieve a viable Palestinian state was through violence. It felt that there was no other way through which Israel can be forced to dismantle its settlements and Jerusalem, and give up the water resources it controls, or to lift the economic restrictions. This view is justified by the analysis of the use of suicide terrorism by Hamas against Israeli, predominantly civilian

targets, to achieve its goals regarding the pace or direction of the peace process. On occasions when Hamas needed to shift the focus or change the course of negotiations, it has resorted attempts at stalling the peace process, mainly through terrorist activities. Even when such a tactics put the blame on Hamas, it presented the situation as one where the Palestinian side has tremendous disadvantages against a much powerful enemy and, therefore, has to resort to extremist steps. However, despite such tactics, Hamas has shown signs of willingness to adjust. Hamas has slowly moved away from its initial position of total rejection of Israel; nor was it totally and unequivocally committed to terrorism. The movement's mechanism for recognizing Israel, based on the concept of long-term cease-fire, is analogous to the political evolution that occurred at an earlier stage within Fatah. As happened with the Fatah-led PLO, Hamas is also moving towards a position where political power entails responsibility for action.

With the participation of Hamas in Palestinian elections held in 2006 and its emergence as the leading power in Gaza Strip, Hamas has lost the claim of being the opposition struggling for survival, bent on preserving its position at any cost. Pragmatism and political adjustment vis-à-vis Israel appears the only way ahead for Hamas.

APPENDIX I

THE CHARTER OF HAMAS

The Charter of Allah: The Platform of the Islamic Resistance Movement

“In the Name of Allah, the Merciful, the Compassionate You are the best community that has been raised up for mankind. Ye enjoin right conduct and forbid indecency; and ye believe in Allah. And if the People of the Scripture had believed, it had been better for them. Some of them are believers; but most of them are evil-doers. They will not harm you save a trifling hurt, and if they fight against you they will turn and flee. And afterward they will not be helped. Ignominy shall be their portion wheresoever they are found save [where they grasp] a rope from Allah and a rope from man. They have incurred anger from their Lord, and wretchedness is laid upon them. That is because they used to disbelieve the revelations of Allah, and slew the Prophets wrongfully. That is because they were rebellious and used to transgress.” *Surat Al-Imran (III)*, verses 109-111 Israel will rise and will remain erect until Islam eliminates it as it had eliminated its predecessors. The Islamic World is burning. It is incumbent upon each one of us to pour some water, little as it may be, with a view of extinguishing as much of the fire as he can, without awaiting action by the others.

Introduction

Grace to Allah, whose help we seek, whose forgiveness we beseech, whose guidance we implore and on whom we rely. We pray and bid peace upon the Messenger of Allah, his family, his companions, his followers and those who spread his message and followed his tradition; they will last as long as there exist Heaven and Earth. O, people! In the midst of misadventure, from the depth of suffering, from the believing hearts and purified arms; aware of our duty and in response to the decree of Allah, we direct our call, we rally together and join each other. We educate in the path of Allah and we make our firm determination prevail so as to take its proper role in life, to overcome all difficulties and to cross all hurdles. Hence our permanent state of preparedness and our readiness to sacrifice our souls and dearest [possessions] in the path of Allah. Thus, our nucleus has formed which chartered its way in the tempestuous ocean of creeds and hopes, desires and wishes, dangers and difficulties, setbacks and challenges, both internal and external. When the thought matured, the seed grew and the plant took root in the land of reality, detached from temporary emotion and unwelcome haste, the Islamic Resistance Movement erupted in order to play its role in the path of its Lord. In so doing, it joined its hands with those of all Jihad fighters for the purpose of liberating Palestine. The souls of its Jihad fighters will encounter those of all Jihad fighters who have sacrificed their lives in the land of Palestine since it was conquered by the Companion of the Prophet, be Allah's prayer and peace upon him, and until this very day. This is the Charter of the Islamic Resistance (Hamas) which will reveal its face, unveil its identity, state its

position, clarify its purpose, discuss its hopes, call for support to its cause and reinforcement, and for joining its ranks. For our struggle against the Jews is extremely wide-ranging and grave, so much so that it will need all the loyal efforts we can wield, to be followed by further steps and reinforced by successive battalions from the multifarious Arab and Islamic world, until the enemies are defeated and Allah's victory prevails. Thus we shall perceive them approaching in the horizon, and this will be known before long: "Allah has decreed: Lo! I very shall conquer, I and my messenger, lo! Allah is strong, almighty."

Part I - Knowing the Movement

Article One: The Ideological Aspects: The Islamic Resistance Movement draws its guidelines from Islam; derives from it its thinking, interpretations and views about existence, life and humanity; refers back to it for its conduct; and is inspired by it in whatever step it takes.

Article Two: The Link between Hamas and the Association of Muslim Brothers. The Islamic Resistance Movement is one of the wings of the Muslim Brothers in Palestine. The Muslim Brotherhood Movement is a world organization, the largest Islamic Movement in the modern era. It is characterized by a profound understanding, by precise notions and by a complete comprehensiveness of all concepts of Islam in all domains of life: views and beliefs, politics and economics, education and society, jurisprudence and rule, indoctrination and teaching, the arts and publications, the hidden and the evident, and all the other domains of life.

Article Three: Structure and Essence. The basic structure of the Islamic Resistance Movement consists of Muslims who are devoted to Allah and worship Him verily: "I have created Man and Devil for the purpose of their worship" [of Allah]. Those Muslims are cognizant of their duty towards themselves, their families and country and they have been relying on Allah for all that. They have raised the banner of Jihad in the face of the oppressors in order to extricate the country and the people from the [oppressors'] desecration, filth, and evil.

Article Four: The Movement welcomes all Muslims who share its beliefs and thinking, commit themselves to its course of action, keep its secrets, and aspire to join its ranks in order to carry out their duty. Allah will reward them.

Article Five: Dimensions of Time and Space of the Hamas. As the Movement adopts Islam as its way of life, its time dimension extends back as far as the birth of the Islamic Message and of the Righteous Ancestor. Its ultimate goal is Islam, the Prophet its model, the Qur'an its Constitution. Its special dimension extends wherever on earth there are Muslims, who adopt Islam as their way of life; thus, it penetrates to the deepest reaches of the land and to the highest spheres of Heavens.

Article Six: Peculiarity and Independence. The Islamic Resistance Movement is a distinct Palestinian Movement, which owes its loyalty to Allah, derives from Islam its way of life, and strives to raise the banner of Allah over every inch of Palestine. Only under the shadow of Islam could the members of all regions coexist in safety and security for their lives, properties, and rights. In the absence of Islam, conflict arises, oppression reigns, corruption is rampant and struggles and wars prevail. Allah had inspired the Muslim poet, Muhammad Iqbal, when he said:

Article Seven: The Universality of Hamas. By virtue of the distribution of Muslims, who pursue the cause of the Hamas, all over the globe, and strive for its victory, for the reinforcement of its positions and for the encouragement of its Jihad, the Movement is a universal one. It is apt to be that due to the clarity of its thinking, the nobility of its purpose and the loftiness of its objectives. It is in this light that the Movement has to be regarded, evaluated, and acknowledged. Whoever denigrates its worth, or avoids supporting it, or is so blind as to dismiss its role, is challenging Fate itself. Whoever closes his eyes from seeing the facts, whether intentionally or not, will wake up to find himself overtaken by events, and will find no excuses to justify his position. Priority is reserved to the early comers. Oppressing those who are closest to you, is more of an agony to the soul than the impact of an Indian sword. "And unto thee have we revealed the Scripture with the truth, confirming whatever scripture was before it, and a watcher over it. So judge between them by that which Allah hath revealed, and follow not their desires away from the truth which has come unto thee. For each we have appointed a divine law and a traced-out way. Had Allah willed, He could have made you one community. But that He may try you by that which he has given you [He has made you as you are]. So vie with one another in good works. Unto Allah, you will all return. He will then inform you of that wherein you differ." Hamas is one of the links in the Chain of Jihad in the confrontation with the Zionist invasion. It links up with the setting out of the Martyr Izz a-din al-Qassam and his brothers in the Muslim Brotherhood who fought the Holy War in 1936; it further relates to another link of the Palestinian Jihad and the Jihad and efforts of the Muslim Brothers during the 1948 War, and to the Jihad operations of the Muslim Brothers in 1968 and thereafter. But even if the links have become distant from each other, and even if the obstacles erected by those who revolve in the Zionist orbit, aiming at obstructing the road before the Jihad fighters, have rendered the pursuance of Jihad impossible; nevertheless, the Hamas has been looking forward to implement Allah's promise whatever time it might take. The prophet, prayer and peace be upon him, said: The time will not come until Muslims will fight the Jews (and kill them); until the Jews hide behind rocks and trees, which will cry: O Muslim! there is a Jew hiding behind me, come on and kill him! This will not apply to the Gharqad, which is a Jewish tree (cited by Bukhari and Muslim).

Article Eight: The Slogan of the Hamas. Allah is its goal, the Prophet its model, the Qur'an its Constitution, Jihad its path and death for the case of Allah its most sublime belief.

Part II - Objectives

Article Nine: Motives and Objectives: Hamas finds itself at a period of time when Islam has waned away from the reality of life. For this reason, the checks and balances have been upset, concepts have become confused, and values have been transformed; evil has prevailed, oppression and obscurity have reigned; cowards have turned tigers, homelands have been usurped, people have been uprooted and are wandering all over the globe. The state of truth has disappeared and was replaced by the state of evil. Nothing has remained in its right place, for when Islam is removed from the scene, everything changes. These are the motives. As to the objectives: discarding the evil, crushing it and defeating it, so that truth may prevail, homelands revert [to their owners], calls for prayer be heard from their mosques, announcing the reinstatement of the Muslim state. Thus, people and things will revert to their true place.

Article Ten: The Islamic Resistance Movement, while breaking its own path, will do its utmost to constitute at the same time a support to the weak, a defense to all the oppressed. It will spare no effort to implement the truth and abolish evil, in speech and in fact, both here and in any other location where it can reach out and exert influence.

Part III - Strategies and Methods

Article Eleven: The Strategy of Hamas: Palestine is an Islamic *Waqf* The Islamic Resistance Movement believes that the land of Palestine has been an Islamic *Waqf* throughout the generations and until the Day of Resurrection, no one can renounce it or part of it, or abandon it or part of it. No Arab country nor the aggregate of all Arab countries, and no Arab King or President nor all of them in the aggregate, have that right, nor has that right any organization or the aggregate of all organizations, be they Palestinian or Arab, because Palestine is an Islamic *Waqf* throughout all generations and to the Day of Resurrection. Who can presume to speak for all Islamic Generations to the Day of Resurrection? This is the status [of the land] in Islamic *Shari'a*, and it is similar to all lands conquered by Islam by force, and made thereby *Waqf* lands upon their conquest, for all generations of Muslims until the Day of Resurrection. This [norm] has prevailed since the commanders of the Muslim armies completed the conquest of Syria and Iraq, and they asked the Caliph of Muslims, 'Umar Ibn al-Khattab, for his view of the conquered land, whether it should be partitioned between the troops or left in the possession of its population, or otherwise. Following discussions and consultations between the Caliph of Islam, 'Umar Ibn al-Khattab, and the Companions of the Messenger of Allah, be peace and prayer upon him, they decided that the land should remain in the hands of its owners to benefit from it and from its wealth; but the control of the land and the land itself ought to be endowed as a *Waqf* [in perpetuity] for all generations of Muslims until the Day of Resurrection. The ownership of the land by its owners is only one of usufruct, and this *Waqf* will endure as long as Heaven and earth last. Any demarche in violation of this law of Islam, with regard to Palestine, is baseless and reflects on its perpetrators.

Article Twelve: Hamas in Palestine, Its Views on Homeland and Nationalism:

Hamas regards Nationalism (*Wataniyya*) as part and parcel of the religious faith. Nothing is loftier or deeper in Nationalism than waging Jihad against the enemy and confronting him when he sets foot on the land of the Muslims. And this becomes an individual duty binding on every Muslim man and woman; a woman must go out and fight the enemy even without her husband's authorization, and a slave without his masters' permission. This [principle] does not exist under any other regime, and it is a truth not to be questioned. While other nationalisms consist of material, human and territorial considerations, the nationality of Hamas also carries, in addition to all those, the all important divine factors which lend to it its spirit and life; so much so that it connects with the origin of the spirit and the source of life and raises in the skies of the Homeland the Banner of the Lord, thus inexorably connecting earth with Heaven. When Moses came and threw his baton, sorcery and sorcerers became futile.

Article Thirteen: Peaceful Solutions, [Peace] Initiatives and International Conferences: [Peace] initiatives, the so-called peaceful solutions, and the international conferences to resolve the Palestinian problem, are all contrary to the beliefs of the Islamic Resistance Movement. For renouncing any part of Palestine means renouncing part of the religion; the nationalism of the Islamic Resistance Movement is part of its faith, the movement educates its members to adhere to its principles and to raise the banner of Allah over their homeland as they fight their Jihad: "Allah is the all-powerful, but most people are not aware." From time to time, a clamoring is voiced, to hold an International Conference in search for a solution to the problem. Some accept the idea, others reject it, for one reason or another, demanding the implementation of this or that condition, as a prerequisite for agreeing to convene the Conference or for participating in it. But the Islamic Resistance Movement, which is aware of the [prospective] parties to this conference, and of their past and present positions towards the problems of the Muslims, does not believe that those conferences are capable of responding to demands, or of restoring rights or doing justice to the oppressed. Those conferences are no more than a means to appoint the nonbelievers as arbitrators in the lands of Islam. Since when did the Unbelievers do justice to the Believers? "And the Jews will not be pleased with thee, nor will the Christians, till thou follow their creed. Say: Lo! the guidance of Allah [himself] is the Guidance. And if you should follow their desires after the knowledge which has come unto thee, then you would have from Allah no protecting friend nor helper." *Sura 2 (the Cow), verse 120* There is no solution to the Palestinian problem except by Jihad. The initiatives, proposals and International Conferences are but a waste of time, an exercise in futility. The Palestinian people are too noble to have their future, their right and their destiny submitted to a vain game. As the *hadith* has it: "The people of Syria are Allah's whip on this land; He takes revenge by their intermediary from whoever he wished among his worshipers. The Hypocrites among them are forbidden from vanquishing the true believers, and they will die in anxiety and sorrow." (Told by Tabarani, who is traceable in ascending order of traditionaries to Muhammad, and by Ahmed whose chain of transmission is incomplete. But it is bound to be a true *hadith*, for both story tellers are reliable. Allah knows best.)

Article Fourteen: The Three Circles: The problem of the liberation of Palestine relates to three circles: the Palestinian, the Arab and the Islamic. Each one of these circles has a role to play in the struggle against Zionism and it has duties to fulfill. It would be an enormous mistake and an abysmal act of ignorance to disregard anyone of these circles. For Palestine is an Islamic land where the First Qibla and the third holiest site are located. That is also the place whence the Prophet, be Allah's prayer and peace upon him, ascended to heavens. "Glorified be He who carried His servant by night from the Inviolable Place of worship to the Far Distant Place of Worship, the neighborhood whereof we have blessed, that we might show him of our tokens! Lo! He, only He, is the Hearer, the Seer." *Sura XVII (al-Isra')*, verse 1 In consequence of this state of affairs, the liberation of that land is an individual duty binding on all Muslims everywhere. This is the base on which all Muslims have to regard the problem; this has to be understood by all Muslims. When the problem is dealt with on this basis, where the full potential of the three circles is mobilized, then the current circumstances will change and the day of liberation will come closer. "You are more awful as a fear in their bosoms than Allah. That is because they are a folk who understand not." *Sura LIX, (Al-Hashr, the Exile)*, verse 13.

Article Fifteen: The Jihad for the Liberation of Palestine is an Individual Obligation. When our enemies usurp some Islamic lands, Jihad becomes a duty binding on all Muslims. In order to face the usurpation of Palestine by the Jews, we have no escape from raising the banner of Jihad. This would require the propagation of Islamic consciousness among the masses on all local, Arab and Islamic levels. We must spread the spirit of Jihad among the [Islamic] Umma, clash with the enemies and join the ranks of the Jihad fighters. The 'ulama as well as educators and teachers, publicity and media men as well as the masses of the educated, and especially the youth and the elders of the Islamic Movements, must participate in this raising of consciousness. There is no escape from introducing fundamental changes in educational curricula in order to cleanse them from all vestiges of the ideological invasion, which has been brought about by orientalist and missionaries. That invasion had begun overtaking this area following the defeat of the Crusader armies by Salah a-Din el Ayyubi. The Crusaders had understood that they had no way to vanquish the Muslims unless they prepared the grounds for that with an ideological invasion which would confuse the thinking of Muslims, revile their heritage, discredit their ideals, to be followed by a military invasion. That was to be in preparation for the Imperialist invasion, as in fact [General] Allenby acknowledged it upon his entry to Jerusalem: "Now, the Crusades are over." General Gouraud stood on the tomb of Salah a-Din and declared: "We have returned, O Salah-a-Din!" Imperialism has been instrumental in boosting the ideological invasion and deepening its roots, and it is still pursuing this goal. All this had paved the way to the loss of Palestine. We must imprint on the minds of generations of Muslims that the Palestinian problem is a religious one, to be dealt with on this premise.

Article Sixteen: We must accord the Islamic [young] generations in our area, an Islamic education based on the implementation of religious precepts, on the conscientious study of the Book of Allah; on the Study of the Prophetic Tradition, on the study of Islamic history and heritage from its reliable sources, under the guidance of experts and

scientists, and on singling out the paths which constitute for the Muslims sound concepts of thinking and faith. It is also necessary to study conscientiously the enemy and its material and human potential; to detect its weak and strong spots, and to recognize the powers that support it and stand by it. At the same time, we must be aware of current events, follow the news and study the analyses and commentaries on it, together with drawing plans for the present and the future and examining every phenomenon, so that every Muslim, fighting Jihad, could live out his era aware of his objective, his goals, his way and the things happening round him. "O my dear son! Lo! though it be but the weight of a grain of mustard-seed, and though it be in a rock, or in the heavens, or in the earth, Allah will bring it forth. Lo! Allah is subtle. Aware. O my dear son! Establish worship and enjoin kindness and forbid inequity, and persevere, whatever may befall thee. Lo! that is of the steadfast heart of things. Turn not thy cheek in scorn toward folk, nor walk with pertness in the land. Lo! Allah loves not braggarts and boasters." *Sura XXXI (Luqman)*, verses 16-18.

Article Seventeen: The Role of Muslim Women: The Muslim women have a no lesser role than that of men in the war of liberation; they manufacture men and play a great role in guiding and educating the [new] generation. The enemies have understood that role, therefore they realize that if they can guide and educate [the Muslim women] in a way that would distance them from Islam, they would have won that war. Therefore, you can see them making consistent efforts [in that direction] by way of publicity and movies, curricula of education and culture, using as their intermediaries their craftsmen who are part of the various Zionist Organizations which take on all sorts of names and shapes such as: the Freemasons, Rotary Clubs, gangs of spies and the like. All of them are nests of saboteurs and sabotage. When Islam will retake possession of [the means to] guide the life [of the Muslims], it will wipe out those organizations which are the enemy of humanity and Islam.

Article Eighteen: The women in the house and the family of Jihad fighters, whether they are mothers or sisters, carry out the most important duty of caring for the home and raising the children upon the moral concepts and values which derive from Islam; and of educating their sons to observe the religious injunctions in preparation for the duty of Jihad awaiting them. Therefore, we must pay attention to the schools and curricula upon which Muslim girls are educated, so as to make them righteous mothers, who are conscious of their duties in the war of liberation. They must be fully capable of being aware and of grasping the ways to manage their households. Economy and avoiding waste in household expenditures are prerequisites to our ability to pursue our cause in the difficult circumstances surrounding us. Therefore let them remember at all times that money saved is equivalent to blood, which must be made to run in the veins in order to ensure the continuity of life of our young and old. "Lo, men who surrender unto Allah, and women who surrender and men who believe and women who believe, and men who obey and women who obey, and men who speak the truth and women who speak the truth and men who persevere (in righteousness) and women who persevere and men who are humble and women who are humble, and men who give alms and women who give alms, and men who fast and women who fast, and men who guard their modesty and women who guard [their modesty], and men who remember Allah much and women who

remember Allah has prepared for them forgiveness and a vast reward.” *Sura 33 (Al-Ahzab, the Clans)*, verse 35.

Article Nineteen: The Role of Islamic Art in the War of Liberation: Art has rules and criteria by which one can know whether it is Islamic or *Jahiliyya* art. The problems of Islamic liberation underlie the need for Islamic art which could lift the spirit, and instead of making one party triumph over the other, would lift up all parties in harmony and balance. Man is a strange and miraculous being, made out of a handful of clay and a breath of soul; Islamic art is to address man on this basis, while *Jahili* art addresses the body and makes the element of clay paramount. So, books, articles, publications, religious exhortations, epistles, songs, poems, hymns, plays, and the like, if they possess the characteristics of Islamic art, have the requisites of ideological mobilization, of a continuous nurturing in the pursuance of the journey, and of relaxing the soul.

Article Twenty: Social Solidarity: Islamic society is one of solidarity. The Messenger of Allah, be Allah’s prayer and peace upon him, said: What a wonderful tribe were the Ash’aris! When they were overtaxed, either in their location or during their journeys, they would collect all their possessions, and then would divide them equally among themselves. This is the Islamic spirit which ought to prevail in any Muslim society. A society which confronts a vicious, Nazi-like enemy, who does not differentiate between man and woman, elder and young ought to be the first to adorn itself with this Islamic spirit. Our enemy pursues the style of collective punishment of usurping people’s countries and properties, of pursuing them into their exiles and places of assembly. It has resorted to breaking bones, opening fire on women and children and the old, with or without reason, and to setting up detention camps where thousands upon thousands are interned in inhuman conditions. In addition, it destroys houses, renders children orphans and issues oppressive judgements against thousands of young people who spend the best years of their youth in the darkness of prisons.

Article Twenty-One: Social solidarity consists of extending help to all the needy, both materially and morally, or assisting in the execution of certain actions. It is incumbent upon the members of the Hamas to look after the interests of the masses the way they would look after their own interests. They must spare no effort in the implementation and maintenance of those interests, and they must avoid playing with anything that might effect the future generations or cause damage to their society. For the masses are of them and for them, their strength is [ultimately] theirs and their future is theirs. The members of Hamas must share with the people its joys and sorrows, and adopt the demands of the people and anything likely to fulfill its interests and theirs. When this spirit reigns, congeniality will deepen, cooperation and compassion will prevail, unity will firm up, and the ranks will be strengthened in the confrontation with the enemy.

Article Twenty-Two: The Powers which Support the Enemy The enemies have been scheming for a long time, and they have consolidated their schemes, in order to achieve what they have achieved. They took advantage of key elements in unfolding events, and accumulated a huge and influential material wealth which they put to the service of implementing their dream. This wealth [permitted them to] take over control of the world

media such as news agencies, the press, publication houses, broadcasting and the like. [They also used this] wealth to stir revolutions in various parts of the globe in order to fulfill their interests and pick the fruits. They stood behind the French and the Communist Revolutions and behind most of the revolutions we hear about here and there. They also used the money to establish clandestine organizations which are spreading around the world, in order to destroy societies and carry out Zionist interests. Such organizations are: the Freemasons, Rotary Clubs, Lions Clubs, B'nai B'rith and the like. All of them are destructive spying organizations. They also used the money to take over control of the Imperialist states and made them colonize many countries in order to exploit the wealth of those countries and spread their corruption therein. As regards local and world wars, it has come to pass and no one objects, that they stood behind World War I, so as to wipe out the Islamic Caliphate. They collected material gains and took control of many sources of wealth. They obtained the Balfour Declaration and established the League of Nations in order to rule the world by means of that organization. They also stood behind World War II, where they collected immense benefits from trading with war materials and prepared for the establishment of their state. They inspired the establishment of the United Nations and the Security Council to replace the League of Nations, in order to rule the world by their intermediary.

Part IV

Article Twenty-Three: Our Position Vis-a-Vis the Islamic Movements: The Hamas views the other Islamic movements with respect and appreciation. Even when it differs from them in one aspect or another or on one concept or another, it agrees with them in other aspects and concepts. It reads those movements as included in the framework of striving [for the sake of Allah], as long as they hold sound intentions and abide by their devotion to Allah, and as long as their conduct remains within the perimeter of the Islamic circle. All the fighters of Jihad have their reward. The Hamas regards those movements as its stock holders and asks Allah for guidance and integrity of conduct for all.

Article Twenty-Four: Hamas will not permit the slandering and defamation of individuals and groups, for the Believers are not slanderers and cursers. However, despite the need to differentiate between that and the positions and modes of conduct adopted by individuals and groups whenever the Hamas detects faulty positions and modes of conduct, it has the right to point to the mistake, to denigrate it, to act for spelling out the truth and for adopting it realistically in the context of a given problem. Wisdom is roaming around, and the Believer ought to grasp it wherever he can find it. "Allah loves not the utterance of harsh speech save by one who has been wronged. Allah is ever Hearer, Knower. If you do good openly or keep it secret, or give evil, lo! Allah is forgiving, powerful." *Sura IV (Women)*, verses 147-148.

Article Twenty-Five: The National (*wataniyya*) Movements in the Palestinian Arena: [Hamas] reciprocated its respect to them, appreciates their condition and the factors surrounding them and influencing them, and supports them firmly as long as they do not owe their loyalty to the Communist East or to the Crusader West. We reiterate to every

one who is part of them or sympathizes with them that the Hamas is a movement of Jihad, or morality and consciousness in its concept of life. It moves forward with the others, abhors opportunism, and only wishes well to individuals and groups. It does not aspire to material gains, or to personal fame, nor does it solicit remuneration from the people. It sets out relying on its own material resources, and what is available to it, [as it is said] “afford them the power you can avail yourself of.” [All that] in order to carry out its duty, to gain Allah’s favor; it has no ambition other than that.

Article Twenty-Six: The Hamas, while it views positively the Palestinian National Movements which do not owe their loyalty to the East or to the West, does not refrain from debating unfolding events regarding the Palestinian problem, on the local and international scenes. These debates are realistic and expose the extent to which [these developments] go along with, or contradict, national interests as viewed from the Islamic vantage point.

Article Twenty Seven: The Palestine Liberation Organization: The PLO is among the closest to the Hamas, for it constitutes a father, a brother, a relative, a friend. Can a Muslim turn away from his father, his brother, his relative or his friend? Our homeland is one, our calamity is one, our destiny is one and our enemy is common to both of us. Under the influence of the circumstances which surrounded the founding of the PLO, and the ideological invasion which has swept the Arab world since the rout of the Crusades, and which has been reinforced by Orientalism and the Christian Mission, the PLO has adopted the idea of a Secular State, and so we think of it. Secular thought is diametrically opposed to religious thought. Thought is the basis for positions, for modes of conduct and for resolutions. Therefore, in spite of our appreciation for the PLO and its possible transformation in the future, and despite the fact that we do not denigrate its role in the Arab-Israeli conflict, we cannot substitute it for the Islamic nature of Palestine by adopting secular thought. For the Islamic nature of Palestine is part of our religion, and anyone who neglects his religion is bound to lose. “And who forsakes the religion of Abraham, save him who befools himself?” *Sura II (Al-Baqra—the Co)*, verse 130

Article Twenty-Eight: The Zionist invasion is a mischievous one. It does not hesitate to take any road, or to pursue all despicable and repulsive means to fulfill its desires. It relies to a great extent, for its meddling and spying activities, on the clandestine organizations which it has established, such as the Freemasons, Rotary Clubs, Lions, and other spying associations. All those secret organizations, some which are overt, act for the interests of Zionism and under its directions, strive to demolish societies, to destroy values, to wreck answerableness, to totter virtues and to wipe out Islam. It stands behind the diffusion of drugs and toxics of all kinds in order to facilitate its control and expansion.

Article Twenty-Nine: National and Religious Associations, Institutions, the Intelligentsia, and the Arab and Islamic Worlds: Hamas hopes that those Associations will stand by it on all levels, will support it, adopt its positions, boost its activities and moves and encourage support for it, so as to render the Islamic peoples its backers and

helpers, and its strategic depth in all human and material domains as well as in information, in time and space. Among other things, they hold solidarity meetings, issue explanatory publications, supportive articles and tendentious leaflets to make the masses aware of the Palestinian issue, the problems it faces and of the plans to resolve them; and to mobilize the Islamic peoples ideologically, educationally and culturally in order to fulfill their role in the crucial war of liberation, as they had played their role in the defeat of the Crusades and in the rout of the Tartars and had saved human civilization. How all that is dear to Allah! "Allah has decreed: Lo! I verily shall conquer, I and my messengers. Lo! Allah is strong, Almighty." *Sura LVIII (Al-Mujadilah)*, verse 21.

Article Thirty: Men of letters, members of the intelligentsia, media people, preachers, teachers and educators and all different sectors in the Arab and Islamic world, are all called upon to play their role and to carry out their duty in view of the wickedness of the Zionist invasion, of its penetration into many countries, and its control over material means and the media, with all the ramifications thereof in most countries of the world. Jihad means not only carrying arms and denigrating the enemies. Uttering positive words, writing good articles and useful books, and lending support and assistance, all that too is Jihad in the path of Allah, as long as intentions are sincere to make Allah's banner supreme. "Those who prepare for a raid in the path of Allah are considered as if they participated themselves in the raid. Those who successfully rear a raider in their home, are considered as if they participated themselves in the raid." (Told by Bukhari, Muslim, Abu Dawud and Tirmidhi).

Article Thirty-One: The Members of Other Religions The Hamas is a Humane Movement: Hamas is a humane movement, which cares for human rights and is committed to the tolerance inherent in Islam as regards attitudes towards other religions. It is only hostile to those who are hostile towards it, or stand in its way in order to disturb its moves or to frustrate its efforts. Under the shadow of Islam it is possible for the members of the three religions: Islam, Christianity and Judaism to coexist in safety and security. Safety and security can only prevail under the shadow of Islam, and recent and ancient history is the best witness to that effect. The members of other religions must desist from struggling against Islam over sovereignty in this region. For if they were to gain the upper hand, fighting, torture and uprooting would follow; they would be fed up with each other, to say nothing of members of other religions. The past and the present are full of evidence to that effect. "They will not fight you in body safe in fortified villages or from behind wells. Their adversity among themselves is very great. Ye think of them as a whole whereas their hearts are diverse. That is because they are a folk who have no sense." *Sura 59 (al-Hashr, the Exile)*, verse 14 Islam accords his rights to everyone who has rights and averts aggression against the rights of others. The Nazi Zionist practices against our people will not last the lifetime of their invasion, for "states built upon oppression last only one hour, states based upon justice will last until the hour of Resurrection." "Allah forbids you not those who warred not against you on account of religion and drove you not out from your houses, that you should show them kindness and deal justly with them. Lo! Allah loves the just dealers." *Sura 60 (Al-Mumtahana)*, verse 8.

Article Thirty-Two: The Attempts to Isolate the Palestinian People : World Zionism and Imperialist forces have been attempting, with smart moves and considered planning, to push the Arab countries, one after another, out of the circle of conflict with Zionism, in order, ultimately, to isolate the Palestinian People. Egypt has already been cast out of the conflict, to a very great extent through the treacherous Camp David Accords, and she has been trying to drag other countries into similar agreements in order to push them out of the circle of conflict. Hamas is calling upon the Arab and Islamic peoples to act seriously and tirelessly in order to frustrate that dreadful scheme and to make the masses aware of the danger of coping out of the circle of struggle with Zionism. Today it is Palestine and tomorrow it may be another country or other countries. For Zionist scheming has no end, and after Palestine they will covet expansion from the Nile to the Euphrates. Only when they have completed digesting the area on which they will have laid their hand, they will look forward to more expansion, etc. Their scheme has been laid out in the Protocols of the Elders of Zion, and their present [conduct] is the best proof of what is said there. Leaving the circle of conflict with Israel is a major act of treason and it will bring curse on its perpetrators. “Who so on that day turns his back to them, unless maneuvering for battle or intent to join a company, he truly has incurred wrath from Allah, and his habitation will be hell, a hapless journey’s end.” *Sura 8 (al-Anfal—Spoils of War)*, verse 16

Article Thirty-Three: The Hamas sets out from these general concepts which are consistent and in accordance with the rules of the universe, and gushes forth in the river of Fate in its confrontation and Jihad waging against the enemies, in defense of the Muslim human being, of Islamic Civilization and of the Islamic Holy Places, primarily the Blessed Aqsa Mosque. This, for the purpose of calling upon the Arab and Islamic peoples as well as their governments, popular and official associations, to fear Allah in their attitude towards and dealings with Hamas, and to be, in accordance with Allah’s will, its supporters and partisans who extend assistance to it and provide it with reinforcement after reinforcement, until the Decree of Allah is fulfilled, the ranks are over-swollen, Jihad fighters join other Jihad fighters, and all this accumulation sets out from everywhere in the Islamic world, obeying the call of duty, and intoning “Come on, join Jihad!” This call will tear apart the clouds in the skies and it will continue to ring until liberation is completed, the invaders are vanquished and Allah’s victory sets in. “Verily Allah helps one who helps Him. Lo! Allah is strong, Almighty.” *Sura XXII (Pilgrimage)*, verse 40.

Part V - The Testimony of History

Article Thirty-Four: Confronting Aggressors Throughout History: Palestine is the navel of earth, the convergence of continents, the object of greed for the greedy, since the dawn of history. The Prophet, may Allah’s prayer and peace be upon him, points out to that fact in his noble *hadith* in which he implored his venerable Companion, Ma’adh ibn Jabl, saying: “O Ma’adh, Allah is going to grant you victory over Syria after me, from Al-Arish to the Euphrates, while its men, women, and female slaves will be dwelling there until the Day of Resurrection. Those of you who chose [to dwell in one of the plains of Syria or Palestine] will be in a state of Jihad to the Day of Resurrection.” The greedy

have coveted Palestine more than once and they raided it with armies in order to fulfill their covetousness. Multitudes of Crusades descended on it, carrying their faith with them and waving their Cross. They were able to defeat the Muslims for a long time, and the Muslims were not able to redeem it until they sought the protection of their religious banner; then, they unified their forces, sang the praise of their God and set out for Jihad under the Command of Saladin al-Ayyubi, for the duration of nearly two decades, and then the obvious conquest took place when the Crusaders were defeated and Palestine was liberated. "Say (O Muhammad) unto those who disbelieve: ye shall be overcome and gathered unto Hell, an evil resting place." *Sura III (Al-Imran)*, verse 12.

Article Thirty-Five Hamas takes a serious look at the defeat of the Crusades at the hand of Saladin the Ayyubid and the rescue of Palestine from their domination; at the defeat of the Tatars at Ein Jalut where their spine was broken by Qutuz and Al-Dhahir Baibars, and the Arab world was rescued from the sweep of the Tatars which ruined all aspects of human civilization. Hamas has learned from these lessons and examples, that the current Zionist invasion had been preceded by a Crusader invasion from the West; and another one, the Tatars, from the East. And exactly as the Muslims had faced those invasions and planned their removal and defeat, they are able to face the Zionist invasion and defeat it. This will not be difficult for Allah if our intentions are pure and our determination is sincere; if the Muslims draw useful lessons from the experiences of the past, and extricate themselves for the vestiges of the [western] ideological onslaught; and if they follow the traditions of Islam.

Epilogue

Article Thirty-Six: The Hamas are Soldiers: The Hamas, while breaking its path, reiterates time and again to all members of our people and the Arab and Islamic peoples, that it does not seek fame for itself nor material gains, or social status. Nor is it directed against any one member of our people in order to compete with him or replace him. There is nothing of that at all. It will never set out against any Muslims or against the non-Muslims who make peace with it, here or anywhere else. It will only be of help to all associations and organizations which act against the Zionist enemy and those who revolve in its orbit. Hamas posits Islam as a way of life, it is its faith and its yardstick for judging. Whoever posits Islam as a way of life, anywhere, and regardless of whether it is an organization, a state, or any other group, Hamas are its soldiers, nothing else. We implore Allah to guide us, to guide through us and to decide between us and our folk with truth. "Our Lord! Decide with truth between us and our folk, for Thou are the best of those who make decisions." *Sura VII (Al-A'raf—the Heights)*, verse 89. Our last call is: Thanks to Allah, the Lord of the Universe.

References (*Primary Source)

*Abd Al-Shafi, Haydar, Sharif Elmusa, Linda Butler (1995), "Moving beyond Oslo. An Interview with Haydar `Abd Al-Shafi", *Journal of Palestine Studies*, 25:1, 76-85.

Abu-Amr, Ziad (1993), " Hamas: A Historical and Political Background", *Journal of Palestine Studies*, 22:4, 5-19.

Aburaiya, Issam (2006), " Hamas and Palestinian Nationalism", URL: <http://www.humanities.uci.edu/history/levineconference/papers/aburaiya.pdf#search=%22hamas%20enjoys%20great%20popular%20support%22>.

*Agha, Hussein and Malley, Robert (2001), "Camp David: The Tragedy of Errors", *New York Review of Books*, 48:13, August 9, 2001, <http://www.nybooks.com/articles/14380>, accessed on 29th July, 2008.

Ahmad, Hisham H. (1994), *Hamas; From Religious Salvation to Political Transformation: The Rise of Hamas in Palestinian Society*, Jerusalem, Palestinian Academic Society for the Study of International Affairs (PASSIA).

Alpher, Joseph (1994), "Israel's Security concerns in the Peace Process", *International Affairs* (Royal Institute of International Affairs 1944-), 70:2, 229-241.

_____ (1995), "Israel: The Challenges of Peace", *Foreign Policy*, No. 101, 130-145.

Amayreh, Khaled (2002), "Hear no Evil, See no Evil", *Al Ahram*, 19-25 December 2002. URL: <http://weekly.ahram.org.eg/2002/617/re6.htm>

Andoni, Lamis (1991), "The PLO at the Crossroads", *Journal of Palestine Studies*, 21:1, 54-65.

_____ (1996), "The Palestinian Elections: Moving toward Democracy or One-Party Rule?", *Journal of Palestine Studies*, 25:3, 6-9.

_____ (1997a), "Redefining Oslo: Negotiating the Hebron Protocol", *Journal of Palestine Studies*, 26:3, 17-30.

_____ (1997b), "Searching for Answers: Gaza's Suicide Bombers", *Journal of Palestine Studies*, 26:4, 33-45.

Aruri, Naseer H. (1999), "The Wye Memorandum: Netanyahu's Oslo and Unreciprocal Reciprocity", *Journal of Palestine Studies*, 28:2, 17-28.

Ashrawi, Hanan (1997), "Guarded Optimist on the Peace Process. An Interview with Hanan Ashrawi", *Journal of Palestine Studies*, 26:3, 81-91.

Bar-Tal, Daniel and Yaacov Y. I. Vertzberger (1997), "Between Hope and Fear: A Dialogue on the Peace Process in the Middle East and the Polarized Israeli Society", *Political Psychology*, 18:3, 667-700.

*Barghouti, Mustafa (1996), "Posteuphoria in Palestine", *Journal of Palestine Studies*, 25:4, 87-96.

Baumgarten, Helga (2005), "The Three Faces/Phases of Palestinian Nationalism, 1948- 2005", *Journal of Palestine Studies*, 34:4, 25-48.

Ben-Ami, Shlomo (2006), *Scars of War, Wounds of Peace: the Israeli-Arab Tragedy*, New York, Oxford University Press.

Bulliet, Richard W. (1993), "The Future of the Islamic Movement", *Foreign Affairs*, 72:5, 38-44.

Crooke, Alastair and Beverley Milton-Edwards (2003), "Costly Choice: Hamas, Cease-fires and the Palestinian-Israeli Peace Process", *The World Today* (December), 15-17.

Dajani, Burhan (1994), "The September 1993 Israeli-PLO Documents: A Textual Analysis", *Journal of Palestine Studies*, 23:3, 5-23.

_____ (1996), "An Alternative to Oslo?", *Journal of Palestine Studies*, 25:4, 5-19.

Fisher, Ian (2002), " Hamas Leader under Attack from two Sides, Remains Defiant", URL: http://www.nytimes.com/2002/06/25/world/mideast_turmoil_gaza_hamas_leader_under_attack_from_2_sides_remains_defiant.html

Gaess, Roger (2002), "Interviews from Gaza; Abd al-Aziz Rantisi, Sheikh Ahmed Yassin, Ismail Abu Shanab, Mahmoud al-Zahar, Ziad Abu-Amr, Haider Abdel Shafi", *Middle East Policy Council Journal*, 9:4. URL: http://www.mepc.org/journal_vol9/0212_gaess.asp

Ghanem, Asad (1996), "Founding Elections in Transitional Period: The First Palestinian General Elections", *Middle East Journal*, 50:4, 513-528.

Gunning, Jeroen (2004), "Peace with Hamas? The Transforming Potential of Political Participation", *International Affairs*, 80:2, 233-255.

Gutman, Matthew, Nina Gilbert, and Herb Keinon (2003), " Hamas Official Has a Vision of Living Next to Israel", *The Jerusalem Post*, June 25, 2003.

Hass, Amira (2002), "Israel's Closure Policy: An Ineffective Strategy of Containment and Repression", *Journal of Palestine Studies*, 31:3, 5-20.

_____ (2003), "Weapons of Light Construction", *Journal of Palestine Studies*, 32:3, 100-103.

Hammani, Rema and Salim Tamari (2000), "Anatomy of Another Rebellion", *Middle East Report*, No. 217, Beyond Oslo: The New Uprising, 2-15.

_____ (2001), "The Second Uprising: End or New Beginning?" *Journal of Palestine Studies*, 30:2, 5-25.

Hammani, Rema and Jamil Hilal (2001), "An Uprising at a Crossroads", *Middle East Report*, 219 (Summer), 2-7 and 41.

Haniyeh, Akram (2001), "The Camp David Paper", *Journal of Palestine Studies*, 30:2, 75-97.

Hatina, Meir (1999), " Hamas and the Oslo accords: Religious dogma in a changing political reality", *Mediterranean Politics*, 4:3, 37-55.

Hedges, Chris (2001), "The New Palestinian Revolt", *Foreign Affairs*, 80:1, 124-138

Hiro, Dilip (1999), *Sharing the Promised Land: A Tale of Israelis and Palestinians*, New York, Olive Branch Press.

Howeidy, Amira (2002), "Secret Dialogue", *Al Ahram*, 14-20 November 2002, URL: <http://weekly.ahram.org.eg/2002/612/eg4.htm>.

Hroub, Khaled (2000), *Hamas: Political Thought and Practice*, Washington D. C, Institute for Palestine Studies.

_____ (2004), " Hamas after Shaykh Yasin and Rantisi", *Journal of Palestine Studies*, 33:4, 21-38.

Jarbawi, Ali (1996), "Palestinian Politics at a Crossroads", *Journal of Palestine Studies*, 25:4, 29-39.

Joffe, E. G. H. (1983), "Arab Nationalism and Palestine", *Journal of Peace Research*, 20:2, 157-170.

Jurban, Michel and Laura Drake (1993), "The West bank and Gaza: Toward the Making of a Palestinian State", *Middle East Policy*, Vol. 2. URL: www.questia.com/.../the-west-bank-and-gaza-toward-the-making-of-a-palestinian-state-by-emile-a-nakhleh.jsp

Kelman, Herbert C. (1998), "Building a Sustainable Peace: The Limits of Pragmatism in the Israeli-Palestinian Negotiations", *Journal of Palestine Studies*, 28:1, 36-50.

Kepel, Gilles (2003), *Jihad: The Trail of Political Islam* (Trans. By Anthony F. Roberts), London, New York, I. B. Tauris.

Khalidi, Ahmad S. (1995), "The Palestinians: Current Dilemmas, Future Challenges", *Journal of Palestine Studies*, 24:2, 5-13.

Kissinger, Henry (2004), "The Hamas Factor", *IJSS Strategic Comment*, 10:4, (May).

_____ (2006), "Sharon's Legacy and Hamas", URL:
<http://www.nytimes.com/2006/02/15/opinion/15iht-edkiss.html>

Kjorlien, M. L. (1993), " Hamas in Theory and Practice", *Arab Studies Journal*, 1:2, 4-7.

Kristianasen, Wendy (1999), "Challenge and Counterchallenge: Hamas's Response to Oslo", *Journal of Palestine Studies*, 28:3, 19-36.

Knudsem, Are (2005), "Crescent and Sword: The Hamas Enigma", *Third World Quarterly*, 26:8, 1373-1388.

Kydd, Andrew and Barbara F. Walter (2002), "Sabotaging the Peace: The Politics of Extremist Violence", *International Organization*, 56:2, 263-296.

Kurz, Anat and Nahman Tal (1997), " Hamas: Radical Islam in a National Struggle", *Jaffee Center for Strategic Studies*, Memorandum No. 48, Tel Aviv.

Legrain, J. F. (1997), " Hamas: Legitimate Heir of Palestinian Nationalism?" In John L. Esposito (Ed.), *Political Islam: Revolution, Radicalism or Reform*, Boulder, Colorado, Lynne Rienner, 159-178.

Litvak, Meir (1998), "The Islamization of the Palestinian-Israeli Conflict: The Case of Hamas", *Middle Eastern Studies*, 34:1, 148-163.

Lustick, Ian S. (1997), "The Oslo Agreement as an Obstacle to Peace", *Journal of Palestine Studies*, 27:1, 61-66.

Makovsky, David (2001), "Middle East Peace through Partition", *Foreign Affairs*, 80:2, 28-45.

Malley, Robert and Hussein Agha (2001), "The Palestinian-Israeli Camp David Negotiations and Beyond", *Journal of Palestine Studies*, 31:1, 62-85.

Milton-Edwards, Beverly (1996), "Political Islam in Palestine in an Environment of Peace?", *Third World Quarterly*, 17:2, 199-225.

_____ (1999), *Islamic Politics in Palestine*, London, I. B. Tauris.

Milton-Edwards, Beverly and Alastair Crooke (2004), "Elusive Ingredient: Hamas and the Peace Process", *Journal of Palestine Studies*, 33:4, 39-52.

Mishal, Shaul (2003), "The Pragmatic Dimension of the Palestinian Hamas: A Network Perspective", *Armed Forces & Society*, 29:4, 569-589.

Mishal, Shaul and Avraham Sela (2002), "Participation without Presence: Hamas, the PA and the Politics of Negotiated Coexistence", *Middle Eastern Studies*, 38:3, 1-26.

_____ (2006), *The Palestinian Hamas: Vision, Violence, and Coexistence*, New York, Columbia University Press.

Morris, Benny (1996), "After Rabin", *Journal of Palestine Studies*, 25:2, 77-87.

Mouin, Rabbani (2001), "Rocks and Rockets: Oslo's Inevitable Conclusion", *Journal of Palestine Studies*, 30:3, 68-81.

Muslih, Muhammad (1987), "Arab Politics and the Rise of Palestinian Nationalism", *Journal of Palestine Studies*, 16:4, 77-94.

Nusse, Andrea (1999), "Muslim Palestine: The Ideology of Hamas", *Journal of Palestine Studies*, 28:4, 107-108.

Pape, Robert A. (2003), "The Strategic Logic of Suicide Terrorism", *The American Political Science Review*, 97:3, 343-361.

Perlmutter, Amos (1995). "The Israel-PLO Accord is Dead", *Foreign Policy*, 74:3, 59-68.

Pundak, Ron (2001), "From Oslo to Taba: What Went Wrong", *Survival*, 43:3, 31-45.

Rabbani, Mouin (2001), "Rocks and Rockets: Oslo's Inevitable Conclusion", *Journal of Palestine Studies*, 30:3, 68-81.

_____ (2002), "The Costs of Chaos in Palestine", *Middle East Report*, 224 (Autumn), 6-9.

*Ross, Dennis (2005), *The missing peace: the inside story of the fight for Middle East peace*, New York, Farrar, Straus and Giroux.

Roy, Sara (2006), *Failing Peace: Gaza and the Palestinian-Israeli Conflict*, London, Pluto Press.

Said, Edward W. and Mouin Rabbani (1995), "Symbols versus Substance: A Year after the Declaration of Principles", *Journal of Palestine Studies*, 24:2, 60-72.

Sayigh, Yezid (1997), "Armed Struggle and State Formation", *Journal of Palestine Studies*, 26:4, 17-32.

Schanzer, Jonathan (2003), "The Challenge of Hamas to Fatah", *Middle East Quarterly*, 10:2, 188-199.

Seigman, Henry (2006), "Hamas: The Last Chance for Peace?", *The New York Review of Books*, 53:7, URL: <http://www.nybooks.com/articles/18939>

Shamir, Jacob and Khalil Shikaki (2002), "Determinants of Reconciliation and Compromise among Israelis and Palestinians", *Journal of Peace Research*, 39:2, 185-202.

Shaw-Smith, Peter (1994), "The Israeli Settler Movement Post-Oslo", *Journal of Palestine Studies*, 23:3, 99-109.

*Sher, Gilead (2006), *The Israeli-Palestinian Peace Negotiations, 1999-2001*, London, Routledge.

Shikaki, Khalil (1996a), "The Palestinian Elections: An Assessment", *Journal of Palestine Studies*, 25:3, 17-22.

_____ (1996b), "The Future of the Peace Process and Palestinian Strategies", *Journal of Palestine Studies*, 26:1, 82-88.

_____ (2002), "Palestinians Divided", *Foreign Affairs*, 81:1, 89-105.

Shlaim, Avi (1994), "The Oslo Accord", *Journal of Palestine Studies*, 23:3, 24-40.

Slater, Jerome (2001), "What Went Wrong? The Collapse of the Israeli-Palestinian Peace Process", *Political Science Quarterly*, 116:2, 171-199.

Stedman, Stephen John (1997), "Spoiler Problems in Peace Processes", *International Security*, 22:2, 5-53.

Strindberg, Anders (2000), "The Damascus-Based Alliance of Palestinian Forces: A Primer", *Journal of Palestine Studies*, 29:3, 60-76.

Tamari, Salim (1995), "Fading Flags: The Crises of Palestinian Legitimacy", *Middle East Report*, 194/195 (Odds against Peace), 10-12.

Tessler, Mark (1994), *a History of the Israeli-Palestinian Conflict*, Bloomington, Indiana University Press.

Usher, Graham, Marwan Barghouti and Ghazi Abu Jiab (1994), "Arafat and the Opposition", *Middle East Report*, No. 191, Iran's Revolutionary Impasse, 22- 25.

Usher, Graham (1995), "Arafat's Opening", *New Statesman and Society*, 8:82, 25.

_____ (1996), "The Politics of Internal Security: The PA's New Intelligence Services", *Journal of Palestine Studies*, 25:2, 21-34.

_____ (2000), "Fatah's Tanzim: Origins and Politics", *Middle East Report*, 217 (Beyond Oslo: The New Uprising), 6-7.

_____ (2003), "Facing Defeat: The Intifada Two Years On", *Journal of Palestine Studies*, 32:2, 21-40.

Wake, Chris (2008), "An unaided peace? The (unintended) consequences of international aid on the Oslo peace process", *Conflict, Security and Development*, 8:1, 109-131.

Weinberger, Naomi (1995), "The Palestinian National Security Debate", *Journal of Palestine Studies*, 24:3, 16-30.

Yusuf, Ahmad (1998), " Hamas Is a Charitable Organization", *Middle East Quarterly*, 5:1, 69- 81.

*Zahhar, Mahmud and Hussein Hijazi (1995), " Hamas: Waiting for Secular Nationalism to Self-Destruct. An Interview with Mahmud Zahhar", *Journal of Palestine Studies*, 24:3, 81-88.