

Hamas in Palestinian Politics, 1996-2006

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DECLARATION

I declare that the dissertation entitled “**Hamas in Palestinian Politics, 1996-2006**” submitted by me for the award of the degree of **Master of Philosophy (M.Phil)** of Jawaharlal Nehru University is my own work. The Dissertation has not been submitted for any other degree of this University or any other University.


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CERTIFICATE

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


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Dedicated to my parents

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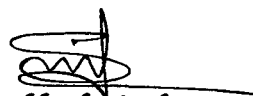
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Abbreviations

CEC	Central Election Commission
DFLP	Democratic Front for the Liberation of Palestine
DOP	Declaration of Palestine
GUPS	General Union of Palestine Studies
HAMAS	Hirakata-al-Muqawama al-Islamia
HEC	Higher Election Commission
IOF	Israeli Occupation Front
OTs	Occupied Territories
PDFLP	Popular Democratic Front for the Liberation of Palestine
PFLP	Popular Front for the Liberation of Palestine
PLA	Palestine Liberation Army
PLO	Palestine Liberation Organization
PNA	Palestinian National Authority
PNC	Palestinian National Council
PNI	Palestinian National Initiative
PPP	Palestinian Peoples Party
PPSF	Palestinian Popular Struggle Front
UAR	United Arab Republic
UN	United Nation
UNRWA	United Nations Relief Works Agency
US	United States of America
USAID	United States Agency for International Development

Introduction

Emerged in the early days of the first *Intifada*, the Islamic Resistance Movement, popularly known by its Arabic acronym as *Harakat-al Muqawama-al Islamiyya* (Hamas) has become a potent force in Palestinian politics winning 76 seats out of 132 in January 2006 Parliamentary elections. Hamas has clearly brought an end to one party rule in the Palestinian National Authority (PNA) and its ascendancy heralds the emergence of serious rival to the Palestinian nationalist movement represented by the Palestine Liberation Organisation (PLO).

Hamas, an organisation classified by Western governments as terrorist with a long history of political violence against both civilians and military personnel was democratically elected In January 2006 to form government in the Palestinian territories. The apparent contradiction in this situation has left many observers at a loss. Hamas had used political violence against both Israel and its main political rival al-Fatah, yet it won the 2006 election on law and order and social welfare grounds. Even today it pursues an Islamic state, yet holds internal elections and champions democracy. It campaigns for *Shariah* laws, yet its leader is predominantly secular professionals rather than religious scholars. It calls for the destruction of Israel and at the same time has shown readiness albeit reluctantly, to consider honoring previous peace agreements.¹

In a broader perspective, Hamas is typical of the widespread phenomenon of political Islam in our time, representing an effort by social and political revisionist groups to articulate their grievances and redefine the national agenda accordingly. At the same time, Hamas is an exception. In addition to its fundamental commitment to reform Muslim society in accordance with precepts Islam, Hamas also carries the particular banner of the national liberation of historic Palestine through an armed struggle with Israel and firm opposition to the Israeli-Palestinian Peace negotiations. Hamas's agenda thus plays on both the domestic and international stages, a dual act that shapes Hamas's political strategies and conduct. Much of this agenda can be described in terms of an inherent tension between the fulfillment of the Islamic duty

¹ Gunning, Jeroin (2007), *Hamas in Politics: democracy religion-Violence*, London: Hurst& Company, P. 1.

of holy war (Jihad) against Israel and its awareness of the boundaries and constraints of the political and social environment in which it operates.²

Hamas' effort to secure a dominant-public position by committing itself to promote Palestinian national interests through violence against Israel while at the same time maintaining its Islamic social institutions of education, welfare, and health has led to a quandary. The problem since the movement's establishment was sharply aggravated by the signing of the September 1993 Israel-PLO Oslo Accord and the creation of the Palestinian Authority (PA) in Gaza and Jericho in June 1994. Hamas's awareness of its relative weakness compared with Fatah (Yassir Arafat's factions in the PLO) and the need to secure its presence and influence in the Palestinian population often at the price of competing with the PA necessitated a more flexible attitude toward a settlement with Israel.³ More than a year before the 1993 accord, Hamas had been considering unofficially joining the political process by talking part, as an Islamic party in the expected election to Palestinian representative institutions.

Rise of Hamas

A radical Islamic organization, Hamas was established in January 1988 by Sheikh Ahmad Yassin. Sheikh Ahmad Yassin was religious leader and members of Muslim Brotherhood. Born of the Muslim Brotherhood, originally established in Egypt in 1928 and active in Palestine since the 1940s it abstained from all forms of anti-occupation struggle and instead concentrated all its efforts on building up a large organised social base for a political alternative to the PLO. In other words, it focused primarily on social services and charitable work in the initial years to transform Palestinian society into one based on Islamic law and principles.

In the later half of the 1970s, Hamas, a branch of the Muslim Brotherhood began to work in the occupied territories (Gaza and the West bank), by the Israel in

² Mishal, SHaul and Abraham Sela (2000), *The Palestinian Hamas*. New York: Columbia University Press P.1.2.

³ Ibid, P.2.

1967 war. The Muslim Brotherhood which was founded in 1928 by Hasan-al Banna in Egypt volunteered to fight in May 1948 with the Arab armies in Palestine against Israel, where they showed courage and gained valuable guerrilla experience.⁴ In the mid 1970s, the leadership formed 'The Muslim Brotherhood Society in Jordan and Palestine by amalgamating the Muslim Brotherhoods societies of the Gaza Strip the West Bank and Jordan. The Brotherhood considered the 1967 defeat a divine revenge against the secular forces and vowed to go back to path of true Islam to regain power once held by Islam and the Islamic world.

In 1970 Hamas was registered by Sheikh Ahmad Yassin, as a non profit social organisation under the name of *Al-Miyama*⁵ (Islamic Congress). In his first year of its existence, the organisation concentrated on winning over people to be observant Muslims and gained influence and power in educational institutions, universities and mosques.⁶ The factors that account for Hamas growing popularity include its reputation for efficiency, honesty and lack of corruption, its wide ranging welfare activities daring and successful attack on Israeli targets, a remarkable resistance to Israeli crackdown and its firm yet pragmatic approach to the nationalist camp which is seen increasingly as abandoning the armed struggle (Jihad) against the 'Ziibest Camp'.

The movement's ability to survive and present itself as a significant contender for mantle of Palestine leadership comes from a combination of its populism and a prudent approach to inter-Arab affairs that attract support for its operations. Main aim of Hamas is the destruction of Israel in an only war of Jihad in order to establish Palestine as an Islamic state. It views Palestine as a religious trust or *Waqf* that should remain under Muslim control for internity (Article 11)⁷ Hamas

⁴ Peter Mansfield (eds) (1973), *The Middle East: A Political and Economic Survey* (4th ed), London: Oxford University Press P-75.

⁵ Ziad, Abu-Amr (1994), *Islamic Fundamentalism in the West Bank and Gaza. Muslim Brotherhood and Islamic Jihad*, Bloomington IN: Indiana University Press P-16.

⁶ Mosques became not only recruitment centers, but also meeting places for *dangestine* meeting Arms caches were hidden as mosques were not subject to be intensive searches and demolitions by Israeli Military. Mosques also address a religious fervour for the call for Jihad and suicide bombers.

⁷ Hamas charter (1988), *The charter of Allah: thje flatform of the Islamic Resistance Movement Hamas!* Article Eleven, The Strategy of Hamas: Palestine is an Islamic Waqf', P-4.

ideology was formally set forth in Charter published in August 1988. Article 36 of the charter that spelled out the movement's Islamic orientation showed its attitude toward Israel to be much more uncompromising than that of the PLO and the nationalist mainstream. Another important aspect of the charter is the centrality of Islam as a framework for all Palestinian nationalistic efforts as expressed for examples in the declaration that Hamas regards nationalism (Article 12) as part and parcel of religious faith and that since "Palestine is an Islamic Waqf" throughout the generations until the Day of Resurrections no portion of its may be aided to few or other non Muslim". Likewise disrupt of the Jews and their designs often expressed in anti-semitic terms that alleges the existence of a Jewish led international conference (Article 13), and the affirmation that "there is no solution of the Palestinian problem except by Jihad (Article 13).⁸

Electoral Support

The absence of national elections in the Occupied Territories makes it difficult to measure the full extent of Hamas's popular support. One source of information is the results from elections to university councils and professional syndicates. It is worth noting, however, that, in the electoral system used in the Occupied Territories, the percentage of popular votes does not translate into an equivalent ratio of seats in elected councils.⁹ In 1992 the Hamas bloc won 45% of the votes in the Nablus Chamber of Commerce elections but, because of the election rules, only secured three out of 12 seats. The same year the Hamas bloc also won 40% of the votes in the student councils elections in *al-Najah* University (Nablus), but did not obtain a single council seat. In the period 1991-92 Hamas took part in 23 elections in the Islamic bloc (supporting Hamas) won 45.8% of votes and the national block (supporting the PLO)

⁸ Selected Document Regarding Palestine Hama, Chaster (1988): The charter of Allah: Article 13: Peaceful Solutions (Peace) Initiatives and International Conferences, P-4.

⁹ Abu-Amr(1993), " Hamas: A Historical and Political Background " *Journal of Palestine Studies*, 22(4):15.

won 50.9%.¹⁰ In the post-Oslo Accords elections after 1993, Hamas continued its strong electoral showing, beating al- Fateh in the *al-Najah* student elections in 1996 (46.7%) and again in 1997 (49.5%). Even at the Birzeit University elections, one of Fateh's most important strongholds, Hamas secured 44.7% of votes compared with Fateh's 33.6%. In the professional syndicates, Hamas lost to al- Fateh in the elections to the Medical Union but won the Engineering Union elections. Unsurprisingly, Hamas trumped al- Fateh in the elections to the Islamic University in Gaza by winning 75.5% of the votes of Fateh's 15.6%.

Likewise, Hamas's covert participation in the Palestinian Legislative Council elections in 1996 was a calculated decision aimed at avoiding conferring credibility on the Oslo Accords (and the Declaration of Principles, DOP) while at the same time securing a future role in the subsequent municipal elections. Initially, the organisation considered four possible options: participation, boycott, boycott as well as undermining and disrupting elections, and participation under a name other than Hamas.¹¹ Over time Hamas leadership softened its initial decision to boycott the elections to one of 'refraining from participation'. At the same time the organisation tacitly encouraged its members to run as independents and urged the rank and file to vote for these candidates as well as for al- Fateh candidates known for their good relations with the Islamic opposition. Exit polls found that an estimated 60% to 70% of Hamas' supporters participated in the elections. By unofficially participating in the council elections, Hamas was able to exercise its influence without compromising its principled stand against the DOP, its opposition to the PA leadership and the prospects of Israeli domination of the elections. This strategy was also borne out by the fact that only those registering their vote in the PA elections were allowed to vote in the subsequent municipal elections, which Hamas not only contested but expected to win.¹²

13 Hroub, Khaled (2006), *Hamas: A Beginner's Guide*, London P.217.

¹¹See, Mishal, and Sela (2000), P.124.

¹² Kundsén, Are (2005). 'Crescent and Sword: The Hamas Enigma' *Third World Quarterly*, 26 (13):81

None of the electoral results cited above can be assumed to reflect the popular support of Hamas among the Palestinian population as such. Hamas itself claims that it attracts from 40% to 50% of the electorate. Although this is an exaggeration, it does show that, within a few years of its formation, Hamas had made inroads into the constituencies of the established secular organisations and penetrated deeply into their political bastions. Hamas's grassroots strategy has proved very effective and is even more remarkable coming at a time of a string of political victories for secular nationalism, such as the Oslo Accords in 1993 and the creation of the PA in 1994. Hamas's growing confidence in its electoral clout could be one reason why the late Sheikh Yassin on many occasions reiterated that Hamas would respect the will of the people as expressed in free-and-fair elections. Moreover, he did not rule out that under certain conditions Hamas could contest national elections as a regular political party.¹³ Hamas's decision to run in the forthcoming parliamentary elections in 2006 will increase the pressure on the organisation to complete the transition to a political party and lay down its arms. So far Hamas has defied the Palestinian Prime Minister Mahmoud Abbas's calls for Hamas to disarm.

Hamas's Welfare Network

The Islamist movements in the West Asia of any importance receive either foreign backing or foreign funding, or both. Hamas is no exception and estimates of the organisation's total budget range from US\$40 to \$70 million.¹⁴ Hamas has since its inception received large sums of money from its benefactors in the Gulf countries and this accounts for about 85% of its budget. A smaller amount, about 15%, is collected locally through religious endowments (*waqf*) and alms (*zakat*). Until the Six Day War in 1967 the *waqf* on the West Bank was under Jordanian control (Jordan annexed the West Bank in 1950). This continued after the Israeli occupation and subsequent annexation of the West Bank and Gaza. Following the outbreak of the first *intifada* it became impossible for the Jordanian *waqf* authorities to maintain control

¹³ See, Haroub(2006),P.259.

¹⁴ See,Kundsen,(2005),P.1382.

over the holy shrines, the *al-Aqsa* mosque and the Dome of the Rock, which had become veritable battlefields. When the PA was formally established in 1994 in the Gaza Strip and Jericho, Palestinian control of the *waqf* became an important goal for the PLO because of the immense symbolic importance of the holy shrines, in addition to the need to bolster future claims to Jerusalem as the capital in a liberated Palestine.¹⁵ In 1995 the PLO appointed its own *waqf* custodian, and a year later established a separate *waqf* department under the PA (Department of Endowments).¹⁶ In Gaza especially this was used to take over Hamas-controlled mosques and institutions, initially depriving Hamas of Much of its social infrastructure.

Nonetheless, controlling the *waqf* and *zakat* institutions made Hamas a key provider of social welfare in the Occupied Territories. Protecting this welfare network was so important that the organisation tailored its militancy to prevent a backlash from the Israeli forces and the PA aimed at destroying or disrupting the welfare system.¹⁷ In 1996 the PA, under external pressure from Israeli and the USA to act against the Islamist movements, took over all the Hamas-controlled mosques and placed them under the Department of Endowments. A year later the PA closed more than 20 charitable institutions belonging to Hamas.¹⁸ Despite the disastrous impact on Hamas's social infrastructure, the organisation did not respond by violent means but issued verbal protests and denunciations. This muffled response was probably a result of the fact that the PA secretly left Hamas in de facto control of the social welfare infrastructure.¹⁹ On a more general level Hamas has always taken pains to separate its formal dialogue with al-Fateh, which Hamas considers a legitimate organisation, from the PA itself, which is seen as an outgrowth of the Oslo Accords and therefore as lacking in popular legitimacy.²⁰

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ See, Hroub, (2006),P. 240.

¹⁹ See, Kundsén, (2005), P.1382.

²⁰ Ibid.

Hamas and Democratisation

Hamas has adopted a number of democratic practices. Internally, it holds elections to select and legitimise its leadership. Its grassroots supporters seem to shape key aspects of its policies. In the domestic arena, it participates in elections, and has by and large refrained from using violence to influence or contest election results. It has regularly been re-elected, even by tactical voters with no ideological or institutional connection to the organisation, suggesting that it takes its contractual relationship with the voters seriously enough to ensure their future support.

Hamas has used violence against fellow Palestinians, particularly in its power struggle with al-Fatah, but as noted previously, such violence has typically not been directed against electoral results. It has used violence against Israelis, including civilians, both in defiance of public opinion and outside the official structures of the state. Although public opinion played a role in both its decisions to mount suicide attacks and to agree to ceasefires, it has used religious arguments to foreclose dissent, in both the moral realm and vis-à-vis the peace process.

Its members' particular vision of 'the good life' and their commitment to heading the popular will. Nevertheless, a sufficient number of Hamas' practices have come to conform to aspects of democracy to warrant an investigation into why such a (partial) convergence appears to have taken place.²¹

Several changes that have occurred in the political opportunity structure within which Hamas operates appear to have encouraged adoption of democratic practices, although there are countervailing factors at work too. The long-standing centrality of elections in the Palestinian political system (both rhetorically and institutionally), the arrival of an indigenous Palestinian Authority in the 1990s with security forces that far outnumbered the opposition's paramilitary wings, and the relative strength of Hamas' civil society network, and through that, its grassroots support, all contributed to making compliance with the electoral game attractive, while rendering non-compliance costly. Change in Hamas' organisational structure, ranging from the

²¹ Ibid, P.242.

gradual heterogenisation of its membership to organisational changes, triggered by the mass incarceration of its internal leadership, also contributed to the adoption of more consultative and participatory practices. The re-alignment within the PLO, which saw the leftist factions breaking with al- Fatah, and siding with Hamas in opposition to the peace process, both facilitated Hamas' emergence as a mainstream opposition faction and encouraged experimentation with ideological pragmatism.²²

The democratisation of Palestinian politics is not a foregone conclusion. But, if one compares socio-economic developments in the Palestinian territories over the past four decades with other situations where democratisation has taken place, there appear to be a number of striking convergences. Hamas is a product of the ongoing processes of modernisation in Palestine,²³ What has not been explicitly considered is that Hamas is also a product of – as well as an active participant in – precisely some of those aspects of modernisation which have in various studies been linked to the process of democratisation.

Rueschemeyer's core argument is that the process of democratisation is a function of the changing balance of power between the different classes, the state and civil society, and that it is particularly likely to occur when capitalist development has led to the weakening of the land-owning class, and the emergence of a working class with the capacity for self-organisation.

The class habitually opposed to democratisation is the land-owning class, the class most regularly championing it the working class. The middle classes play a more ambivalent role, often allowing themselves to be co-opted by the ruling coalition. Where industrialisation has been limited and the working class is insufficiently strong, democratisation is typically the result of an alliance between the working and the middle classes.

Ideology only plays a secondary role in this model. Rueschemeyer acknowledges that ideological hegemonies can play a part and recognises that class

²² Ibid.

²³ Robinson, Glenn (1997) *Budding a Palestinian State*, Bloomington IN: Indian a University Press,P.136.

interests are not an objective fact, but socially constructed. However, he consistently links ideology to underlying class and institutional structures. Similarly, while discussing the impact of religion, Rueschemeyer suggests that it is not the content of religion but whether religious institutions are autonomous from the dominant classes that determine whether it plays a democratising role.²⁴

Rueschemeyer's approach is unsatisfactory on a number of counts. It treats classes too homogeneously. It ignores the continuing influences of such traditional authority structures as clans, adopts an overly individualistic model and downplays the importance of alternative. It does not adequately explain why working-middle class coalitions do not more often adopt authoritarian positions, and treats politics almost as a derivative of economics. One might object that Rueschemeyer's model is not applicable to the Palestinian territories because they do not constitute a unitary sovereign state, their economy is disproportionately dependent on Israel's economy and international aid, and the bulk of Palestinians live outside these territories. It is, after all, possible to have democratic developments within a polity that is not sovereign and where boundary and citizenship questions are still unresolved. Applying this model to Palestine for the period 1967-2006, some analysts have put further the following arguments. First, although some of the processes Rueschemeyer, list as counter-democratic occurred within the occupied territories, particularly since the establishment of the PA, as significant number of Rueschemeyer's democracy inducing processes did take place. While not all of these processes have come to full fruition, the fact that they have begun to change the class structure suggests the existence of a number of pressure points within Palestinian society, which, in Rueschemeyer's model, could facilitate democratisation.

Second, if we look at Hamas' place within the constellation of class, state and civil society alliances, it operates at precisely some of those pressure points from which calls for democracy have typically been issued. This suggests that Hamas has not only experienced democratising pressures, which are likely to have affected both

²⁴ See, Guning (2007), P.244.

its constituency and its organisational interests, but that these are also likely to have contributed to democratisation.

Finally, although Hamas is located at a point within Palestinian society and politics where the pressure to adopt a democratic strategy is likely to be particularly strong, there are two factors which may negate this pressure to democratise, namely Hamas' continued resort to violence outside of the structures of state, and Hamas' control of a parallel welfare network both of which may be said to undermine the state consolidation which Rueschemeyer deems necessary for democratisation to succeed (although Hamas' welfare network has also provided an important civil society bulwark against the more autocratic tendencies of al-Fatah's state-building programme).²⁵

In sum, though Rueschemeyer's model fails to explain, or whether structural changes in Palestinian society will actually produce a full-scale democracy, it does suggest that Hamas has both experienced democracy-inducing pressures and operated at one of the levels within society from which pressures for democratisation typically emerge. One can quibble with this finding by pointing to the flaws in Rueschemeyer's model, or to flaws in the application of the model. But, to the extent that his model has explained other democratisation processes. Hamas' adoption of democratic practices can be said to be encouraged by wider socio-economic changes.

The foregoing analysis tentatively suggests that those aspects of Hamas' practice that are democratic are not simply coincidental but to be expected, given the socio-economic changes that have occurred over the past forty years. This lends further credence to the argument that, regardless of potential discrepancies between Hamas' hidden and public transcripts, it is likely to promote aspects of democratic behavior as long as wider socio-economic and political structures remain comparable.

Even if certain practices have been adopted opportunistically, they may serve to alter members' perceptions. Diamond argues this with regard to civil society organisations' capacity to socialise their members into democratic practices by

²⁵ Ibid, P.246.

adopting democratic practices internally. That thousands of Hamas supporters annually experience the granting of authority on the basis of electoral outcomes has arguably influenced their perceptions. Rustow similarly holds that participation in electoral structures may lead to a changed disposition towards elections, regardless of whether the initial decision to participate was purely tactical. Alternatively, one could argue that an opportunistically chosen policy changes the calculus in such a way as to make going back on it too costly. Thus, while Hamas' leadership may opportunistically adapt its programme to woo swing voters, once enough Hamas supporters consist of these swing voters, Hamas' power base is fundamentally altered, making it harder to revert to its original programmed (as long as maintaining popular support is vital to Hamas' survival).²⁶

This is not to say that Hamas will inevitably become more democratic. There are enough ambiguities in both its behavior and the wider structural environment to warrant caution about the future. Further changes in the balance of class power, in the relationship between classes, state and civil society, or in the level, extent or pace of socio-economic development will affect the trajectory of democratisation. Failure to resolve the current stalemate between Israel and the Palestinians is likely to both impede economic development and the development of a sovereign democratic state. Yet resolution of this stalemate does not necessarily increase the prospects of democratisation if it replicates the logic of the Oslo process and uses one faction, al-Fatah, to impose a 'hegemonic peace'.

Failure to resolve the stalemate between Hamas and al-Fatah may similarly impede economic and state development – although in the long-term it may facilitate democratisation if the stalemate convinces both factions that neither can obliterate the other (as long as both continue to believe that legitimacy is dependent on maintaining popular support). Such a scenario is envisaged by Rustow, who suggests that recognition of such a stalemate is crucial in persuading the leading contenders to adopt democratic procedures to peacefully manage their conflict. Conversely, a continuing stalemate may contribute to the fragmentation of the few state structures

²⁶ Ibid., P.261.

that are in place, thus further increasing the already high levels of lawlessness that have resulted from the breakdown of central authority.

The above analysis also provides one explanation for Grant and Tessler's finding that "those who support political Islam [in the Palestinian territories]... are actually more likely than others to believe that a political system based on Islamic law can be democratic". Hamas' support is stronger among the urban than among the rural population, and that its leadership is dominated by inspirational members of the lower middle classes with a relatively high level of education. This is precisely the section of the population that according to Diamond's model is most likely to have developed a pro-democratic disposition – a finding corroborated by Grant and Tessler's that, in Palestinian society, "pro-democracy attitudes are associated with higher education, male gender, older age, urban residence, and a higher standard of living".²⁷

At the same time, the above analysis stands in tension with some of Grant and Tessler's findings. While it may help to explain why (Palestinian) men in cities are more likely to think democracy to be compatible with Islamic law, and believe Muslims and non-Muslims to have equal rights, it does not explain why they are less likely than men in refugee camps and villages to think that democracy is the best model – or indeed why in this instance men from refugee camps and villages think alike, given that refugee camps have numerous urban qualities. While it may help to explain why women in cities are more likely to believe democracy to be the best model, it does not explain why women in refugee camps are less likely to do so, given the apparently high number of women from refugee camps attending university. More research is needed on the precise impact of, for instance, Palestinian university education on students; socio-economic changes on class, state and civil society relations; or the (transformative) interaction between clan, 'religious', electoral, state and donor practices and identities.

²⁷ Ibid.

Hamas and the Peace Process

The original Palestinian position concerning the creation of Israel in 1948 was a complete Palestinian consensus to reject any peace proposal that would situate Israel on any part of the historic land of Palestine²⁸. The position remained almost unchanged until 1988, when the Palestine Liberation Organisation (PLO) publicly declared its readiness to accept the concept of a two-state solution but Hamas totally rejected this proposal.

Looking at Hamas rhetoric vis-a-vis the peace process, one finds that both religion and constituency play a central role. Mirroring Hamas dualistic approach to authority, its opposition to the peace process has been framed, in two different ways: one absolutist, and other, which will be analysed in the next section, conditional, dependent on the popular will and practical considerations concerning how to maximise the 'national interest'.²⁹ It is well established that religious symbolism and themes play a central process.³⁰ Religion provides justifications for its continued refusal to recognise Israel. And it provides a powerful motivational framework for those carrying out suicide attacks although this should not obscure the attacks although this should not obscure the attack, political and strategic rational.

From the start, Hamas critique of the peace process has been grounded in a religious interpretation of the conflict. The Israeli-Palestinian conflict was depicted in Hamas founding charter as an epic struggle between Islam and its enemies, fulfilling the Prophet's prediction that those living in Palestinian would be "In had to the day of resurrection"³¹ The land of Palestinian itself was portrayed as bean *Islamic waqf* (endowment)" entrusted to the Muslim generations (by its first Muslim conquerors) until judgement Day". Because under Islamic law ownership of a way of passes

²⁸ See, Haroub, Khaled (2006), P.59.

²⁹ See, Gunning (2007), P.198.

³⁰ Heroub, Khaled (2000), *Hamas: political Thought and practice*, Washington, DC: Institute for Palestine Studies, P.43.

³¹See, Mishal and sela (2000). PP.197-8.

“From the founder [of the way of] to God”,³² no one can renounce any part of it. In addition, has Hamas introduced a decidedly modern twist derived from its contractual understanding of authority? Any thought of renunciation was further discredited by the argument that “who, after all has the [legitimate right to act on behalf of Muslim generations until the Day of judgement?”³³

Religion plays a central role in the motivation and self-identity of Hamas activists. Many activists are recruited through the mosque and Hamas emphasis on Islam with references to the notion of Islamic warriors (mujahidin), and rallying cries from the Qur’an, as for the Qassam Brigade. The videos of those carry out suicide bombing have a political as well as a personal function, and are framed in part to attract new recruits and paint Hamas and the Qassam Brigades in a particular light.³⁴ One can nevertheless conclude that religion plays a significant role in Hamas self image and that of its Qassam activists.

The argument is particularly salient for those whose ancestral lands are inside Israel. Although it is tailored to appeal to an international audience, its centrality in Hamas rhetoric is driven by the fact that a significant number of Hamas leaders and members are refugees from what is new Israel. It reinforces the absoluteness of the way of argument and is reinforced by those aspects of Islamic tradition that support the notion of inalienable human right. But it is not directly a religious argument. Other arguments that Hamas has used involve the principles of honour, nation, revenge and the popular mandate. A good illustration is a bomber stating that he and his colleagues would make “our blood cheap for the sake of God, out of love for this homeland and for the sake of freedom and honor of this people, in order that Palestine remains Islamic [and] that Palestine might be liberated.”³⁵

Parallel to the absolutist arguments discussed above, Hamas has used two sets of conditional argument: one explicitly contractual, and the other about pragmatically

³² Tibawi AL(1978), *The Islamic Pious Foundations in Jerusalem*. London P-11.

³³ See, Heroub, Khaleed (2000), P.273.

³⁴ Gunning, (2007), P.200.

³⁵ Ibid, P.201.

maximising one's bargaining position and implicitly contractual. The second argument is best encapsulated in a 1994 statement of the Political Bureau, which read, " Hamas does not oppose the principle of peace. However the peace that the government of the enemy offers is not peace but a consolidation of occupation and inequality against our people"³⁶ In this framework, the peace process is wrong, not because it aims at a two-state compromise, but because it will lead to available two state solution, and against the national interest.

Hamas contractual argument revolves around the notion of a popular mandate. Within this framework, the peace process is wrong, not because of its seeking two state solutions, but because it does not have a popular mandate and thus lacks authority. In 1995, Musa Abu Marzug, then head of Hamas' Political Bureau summarised. In the past, the legitimacy of the PLO and its right of representation stemmed from its close adherence to the unchanging national right of our people and its difference of those rights...However now that the PLO has distanced itself permanently from those [national aspirations]... It is no longer reasonable or rational to adhere to the image of the PLO as the sole legitimate representative, particularly in the case of cheque that now exercise control over the organisation. This is particularly true because the PLO never enjoyed a prior electoral mandate, had there been such a popular mandate streaming from free and democratic legislative elections to give it legitimacy, the evaluation of this matter would have differed.³⁷

Hamas' use of a contractual logic is in part dictated by the centrality of electoral institutions, and discourse in Palestinian Politics. But the fact that logic of popular mandate has overtaken the divine right argument prevalent in the early 1990s suggests that Hamas recognise that within the current Palestinian political system, the notion of divine right is insufficiently authoritative to sideline the popular will- although this dynamic may be undermined by a possible shift among Hamas rank and file away from political back towards religious arguments. The present study makes an attempt to examine the factors that would account for Hamas' popularity and

³⁶ See, Haroub (2000), P.305, see also Introductory Memorandum.

³⁷ Ibid P.91.

electoral success. In explaining variety of factors, both organisational as well as societal and external, it is argued that Hamas may undergo the qualitative transformation from a violent resistance movement to a responsible mainstream political party provided the popular mandate is honoured and the peace process is revived to achieve the legitimate Palestinian national aspirations.

Chapter-1

***Historical Overview of Palestinian
Politics***

History of Palestinian Politics is long and has remained very controversial. Issues such as Arab-Israeli conflict have always dominated the political landscape of West Asia. Yet there is a definite pattern, which suggests that, the Palestinian politics since 1948 has come a long way. It grew from an emotional outburst to protest against certain situations, as was seen during 1948 period, to display a greater degree of maturity and understanding. The Palestinian politics has been evolved to regional conflict such an extent where it cannot be easily differentiated from other formations. There are liberals, hardliners, conservatives all sorts of political parties. They equally compete among themselves to gain and capture power. This chapter briefly discusses the evolution of the Palestinian politics in the backdrop of the Palestinian–Israeli conflict expansion since the creation of the Jewish state in 1948.

Etiology of Israel –Palestine Conflict

The Jews invaded Palestinian land in 1220 B.C. With the exception of the periods of Prophet-kings, Dawud (David) (961 B.C.) and Sulayman (Solomon) (d. 922 B.C.), they led a precarious existence, sandwiched between their more powerful neighbours like the Babylonians, Persians, Egyptians and Romans. Their continuous intrigues, revolts and contacts with rival world powers (reminiscent of their current role) attracted retribution by their rulers and neighbors'.¹ The Chaldean emperor, Nebuchandezzar took the extreme step of destroying Jerusalem in 587 BC and dispersed the jews. Slowly the Jews returned and consolidated around Jerusalem. The Roman general Titus (emperor 78-81 CE) partly destroyed Jerusalem in 70 CE after a five year long Jewish rebellion. The Roman Emperor Hadrian totally destroyed it in 355 CE after the Bar Cochba revolt. He renamed

¹ Khan, Zafarul-Islam (2009), "From Basle to Oslo", *Radiance*, XLVI (48) :8.

Jerusalem 'Aelia Capitolina' with a Roman pagan temple on the site of the Jewish Temple of Solomon.²

The Jews were forbidden to live in or around Jerusalem, a law that continued with the Arab conquest in 639 CE, when according to Jewish sources.³ They were immediately allowed to enter the city⁴ but not to settle down in Jerusalem according to the terms of surrender asked by the people of Aelia and granted by the Caliph Umar. The Jews, however, were allowed to live in other parts of Palestine. But there was no significant Jewish presence in Palestine all these years until the Zionist movement emerged in the late 19th century. There was always a small Jewish community in Palestine and Jews from all over the world used to come on pilgrimage, while some aged Jews came to die there. Palestine has remained a Muslim land ever since with a brief interlude during the Crusades from 1099 (When Muslims and Jews of the city were bothered) until finally freed by Salahuddin on October 20, 1187. Salahuddin at once allowed the Jews to settle down in Jerusalem.⁵

During the Middle Ages, as the religious fervor of the Crusades caught up with the Europeans and brought death and persecution for the Jews in Europe, many Jews came to live in the sprawling Ottoman Empire. But they usually chose the prosperous commercial centers instead of Palestine. The first Jewish settlement in Palestine was established in 1768 when some German Jews came to settle there with the consent of Sultan Abd al Aziz.⁶ An agricultural school, called Mikveh Israel (The Ingathering of Israel), was established in 1970. It was the first Jewish agricultural settlement in Palestine.⁷

² Ibid.

³ United Jewish Encyclopedia (1948), New York.

⁴ Khan, Zafar-ul-Islam (1973), *The Ancient history of Palestine*, Beirut P.173.

⁵ Khan Zafarul-Islam (2009), P.9.

⁶ Ibid.

⁷ Hussain, Mehmood (1975), *The Palestine Liberation Organization, India: Delhi*, P.1.

The flow of the Jews to Palestine continued as a result of persecution as well as fears of assimilations into the European society until 1885 when Sultan Abd al-Hamid II (1876-1909),⁸ while, allowing them to settle down anywhere else in the Ottoman empire, expressly prohibited their settlement in Palestine. Jews visitors and pilgrims were issued red passport on arrival and had to leave Palestine within three settlement in Palestine in early 1880s. Baron Edmond de Rothschild supported settlement in Palestine, while Baron de Harsh wanted it in Argentina.⁹

During the second half of the 19th century some Jewish intellectuals, influenced by the 'nationalist' for in Europe, came up with the idea of a 'Jewish' nation-state although the Jews did not form a majority anywhere in the world. Theodore Herzl (1860-1904), an Austrian Jewish journalist articulated the idea in his book, *Der Juden Staat* (The Jewish State), published in 1895. The term 'Zionism' was coined in 1893 by Dr. Nathan Bimbauni. The first Zionist Congress held at Basle in August 1897, under the leadership Herzl also laid the foundation stone of modern Jewish nationalism and articulated the idea of planned colonization in Palestine. Clashes between the immigrant Jews and Palestinians occurred frequently after the establishment of the Jewish agricultural settlements in Palestine. Palestinian at that time was under the Ottoman administration. During the First World War it came under Great Britain. The British Government came out with the Balfour Declaration on 2 November 1917, which expressed the sympathy of the British Government with the Zionist aspirations for a national home for the Jewish people in Palestine a task to be accomplished under the British Mandate.¹⁰ Palestine was placed under the British Military Administration from 1918 to 1920 after which the Mandate was conferred (April 1920). The British government showed a lack of understanding of the Palestinian problems. It was dangerous and reckless politics to appoint a Jew, Sir Herbert Samuel as the British

⁸See, Khan, Zafar ul_ islam (2009), P. 9.

⁹ Ibid.

¹⁰See, Hussain Mehmodd (1975), P.1.

High Commissioner and commander in chief in Palestine when the country was still suffering from the aftermath of the Eastern disturbances.¹¹

The Balfour declaration was issued without the knowledge and consent of the Arabs. The Arab took a serious British war time promises contained in the well known Hussein Mac Mohan agreement,¹² but also reduced the majority Arab Population of Palestine to none existence by merely referring to it as non-Jewish community. Further once the formal promises of the Balfour declaration were legalized the Zionists, with the support of the mandatory power made relentless efforts to increase the number of Jewish in Palestine so that the demographic character of the land could be tilted in their favour as early as possible.

When the mandate was granted the Arab Palestinians constituted 92% of the population and owned 98% of the land in Palestine and it could not have become a Jewish homeland unless the clearly not to be a home unless the demography and land ownership were changed in favor of the Jews. It was difficult for Jewish homeland unless the Britain had favored. The Britain favored the establishment of the Jewish homeland, both in the matter of boundaries and immigration. After the commencement of mandate, large scale Jewish immigration land acquisition began to take place.¹³

Waves of immigration swelled the Jews in Palestine from 83, 794 in 1922, to 1, 84,210 in 1932. The resentment and unease experienced by Jews and Arabs led to the serious riot and disturbances of 1920, 1921, 1929, 1933 and almost continuously during 1936-1939. For instance, in the 1930's rural population suffered the most because of the Jewish immigration. By 1935, about 30% peasants became landless. Both city and rural workers faced discrimination at the hands of Jews.

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¹¹ See, Hussain Mehmood (1975), P.2.

¹²The agreement contained in the form of a letter, was between Sharib Hussain of Macca was a King of Arab and Sir Henry MacMohan.

¹³ Amos, W, John (1980), *Palestinian Resistance: Organization of Nationalist Movement*, New York, PP. 5-6.

The Arabs bitterly opposed the Balfour declaration and Jewish immigration and called for prohibition of land sales to the Jews.¹⁴ The Palestinians also violently protested when British secretary of state for colonies, Winston Churchill came to Palestine in early 1921.¹⁵ In the 30s, Haj Amin al Husseini who was the president of High Islamic Council and Mufti of Jerusalem Organized the Palestine Arab Party with its illegal militarized society which called itself *al-Fulluwah* (youth or chivalry). This party repudiated the Balfour Declaration and called for an end of mandate and for establishment of a Palestinian Sovereign State.¹⁶

In 1933, the feeling of the Palestinian Arabs was aroused by the increased immigration which posed a direct threat to their future in Palestine. An attempt was made by Arabs under the leadership of Haj Amin Al-Husseini to organize and coordinate their resistance. There was a call for general boycott which reduced the Arab participation in the administration. Riots occurred in Jerusalem, Jaffa, Haifa and Nablus and were directed wholly against the Britishers. The leaders of the resistance movement also built the clandestine armed organization among the Palestinian Arabs.¹⁷

At the same time, the armed guerilla units began to be formed in the hills of Palestine. They were recruited from local young men also, unemployed youth, professional bandits and soldiers from the neighboring Arab Countries. The use of violence was now only a matter of time. The Jaffa unemployed youth joined the ranks of insurgency and arms came from the Syria, Transjordan and Iraq. In August 1936, Fauzi al-Kawakji, an expert in military and guerilla operations, organized a guerilla army of 5,000 men. The funds for the purpose came from Italian religious institutions in Palestine and *Waqf* endowments which the Mufti controlled as President of the Supreme Council.

¹⁴ Ali, Asad (1994), *The Palestine Liberation Organisations Armed struggle and the American Response*, M. Phil Dissertation, New Delhi, J.N.U, P.3.

¹⁵ Ibid.

¹⁶ Ibid, P.4.

¹⁷ See, Hussain Mahmood (1975), PP. 1-3.

The insurgents' forces were disbanded by the British. The insurgency turned into the form of revolt. By the last week of 1937, 1500 British Soldiers confronted with insurgents near "tiberias" it was the biggest battle of Palestinian resistance. The other big battle was fought in the Carmel hills at the end of January 1938.¹⁸ The Arab Higher Committee set up on December, 1935 under the leadership of amin-al-Hussaini coordinated the National Committee. Within the Arab Higher Committee, the Husseini faction relied on the armed insurgents and was prepared to carry on the armed struggle for the complete liberation of the Palestine. But the other faction was afraid of the large scale guerilla warfare and was anxious to obtain concession from the British.¹⁹

During the early years of the British occupation were directed mostly against the Jews, instead of the British who had been able to fool the Arabs until then and secure the role of an arbitration to balance between the two warring parties. Izz al-Din-al-Qassam a Syrian alim who had studied at al-Azhar was the first to call and carry out armed struggle against the British (instead of the Jews) for being the actual exit in Palestine who had introduced the policy of the Jewish home land and then coined the term of equality of obligation to continue to rule the country.²⁰ Sheikh-al-Qassam was martyred in an unequal battle with the British. Six hundred Policemen besieged 12 mujahids, including the Sheikh and nine other Ulama, on November 19, 1935 after a tip off by an informer. They refused and two of his colleagues were rolled two sieges and were later arrested and imprisoned for long terms.

It was the members of the Sheikh's movement who ignited the Great revolt of 1936 by attacking certain targets in the night of April 13 that year.²¹ As the ground was ready, a general strike was announced all over the country which quickly turned into a full fledged revolt. Volunteers came from a number of Arab

¹⁸ Ibid, P.5.

¹⁹ Ibid.

²⁰ See, Khan, Zafarul-Islam (2009), P.12.

²¹ Ibid.

countries particularly from Syria and Transjordan to take part in the armed rebellion. The British rushed troops from Egypt, Cyprus and Malta. Fierce battles were fought all over the country. As the rebellion spread and became uncontrollable by force, the British sought the help of their allies, King Ibn Sa'ud of Arabia, King Ghazi of Iraq and Emir Abdullah of Trans-Jordan. These Arab rulers exerted extreme pressure, coupled with threats and issued simultaneous and identical appeals to the Arabs of Palestine on October 10, 1936 to call off the rebellion and rely on the good intentions of our friend Great Britain, who has declared that she will do justice. Thus the revolt was halted and the Palestinians were the initiative after 1956.

The Royal Peel Commission formed to investigate the revolt believed that about 1,000 Arabs were killed during the rebellion, mostly in fighting. The commission was boycotted by the Arabs of Palestine because as the commission left London for Palestine on November 5 the colonial secretary announced that there would be no suspension on Jewish immigration during the course of the Commission's inquiry. Arab rulers' pressure led the Palestinian leadership, the Arab Higher Committee to change its position and agree to appear before the commission.²²

With an official announcement that the government has accepted it, the Peel Commission published its report on July 7, 1937. It came up for the first time with the idea of partitioning Palestine into three parts: One for a Jewish state another one for an Arab State, and a third part, with strategic and religious areas including Jerusalem to remain under British control. As the commission gave the Jews the best land of Palestine in much greater proportion than their actual numbers or ownership of land, the Jews accepted the plan while the Arabs rejected it and demanded total independence for the whole of Palestine.

In their attempts to prevent further revolt, the British went ahead to crush Arab opposition, arresting leaders and outlawing the Arab committees that had led

²² Ibid, P.13.

and coordinated the rebellion. Al-Haj Amin was stripped of this position as the head of the Supreme Islamic Council and of the *Auqaf* Committee of Palestine. Many of the prominent leaders were banished to the Seychelles on October 1, 1937.²³

The rebellion erupted again in October 14-15. The British allowed Jewish terrorist gangs and armed them to take part in fighting the popular revolt. Despite sharp reprisals, arrests, collective fines and harassment of the villagers, the rebels gained the upper hand within months. They were fighting both the British forces and the armed Jewish gangs. The rebellion reached its climax during the summer of 1938. It was directed by Palestinian leaders who had taken refuge in Syria and Lebanon with almost total popular support on the ground. By August the rebels were in virtual control of a number of cities as more British troops continued to flow in. The rebels entered Jerusalem on October 17 and took total control of the old city.

Meanwhile, the rise of Hitler to power in Germany and his widespread anti-semiticism had disastrous effect on the Palestine situation. Hitler's merciless persecution of Jews on the one hand and the restrictive immigration policies of the western countries on the other compelled any means.²⁴ With the Nazi threat coming large over Europe, the British government now resolved to take even harsher measures to crush the rebellion. With more British troops, supported by Jewish armed gangs, the British tried to reoccupy the country and disarm it. This was coupled recommendation and inviting representatives of Palestinian Arabs and Jews as well as Arab State to London for a Round table Conference to arrive at an Acceptable Solution.²⁵

The resulting 'Round Table Conference' (February 1939), in which Chamberlain talked to the afternoon led the British to partially accept the Arab

²³ Ibid.

²⁴ See, Ali, Asad (1994), P.6.

²⁵ See, Khan, Zafar Islam (2009), P.3.

demands of independence but it was to be under British protection in which the Jewish minority was to be safeguarded by constitutional guarantees.²⁶ Another conference was to be convened in the autumn to lay down the constitution. The Jews rejected this outcome because it would effectively prevent the emergence of their independent state. Now Jewish terrorism went to achieve what Jewish diplomacy had failed to Bombs started to exploded all over Palestine. The British went ahead and published the 'White papers of 1939'²⁷ declaring 'unequivocally' that it was not their policy that Palestine be allowed to become a Jewish state.

The British white paper came out in 1939 which put ceilings on Jews immigration. This was for the first time that mandatory power took decision against its Zionists interests. The Jews objections were obvious. They now mounted military attacks not only on Palestine Arabs but also on the British troops. Thus, the Palestine situation was extremely disturbing at the outbreak of the World War II. After the war, thousands of Jewish survivors of German atrocities flooded into Palestine.²⁸ The Arabs violently opposed their immigration. The internal situation in Palestine became in anarchic as both sides indulged in insurgent operations, as fighting and terrorism increased.²⁹

In the succeeding months the United Nations, special committee on Palestine examined several possible solutions and finally recommended partition of Palestine into a Jewish state and Arab State and an international area around Jerusalem. The Jews welcomed the idea and the Arabs strongly opposed it. Despite Arab opposition and intense diplomatic bargaining and lobbying at the United Nations, UNSCOP partition plan (Resolution 181) was approved by the required two-third vote on 2nd Nov, 1947. But soon it became obvious that partition would be accomplished not by diplomatic means but armed confrontations between Jews and Arabs.

²⁶ Ibid.

²⁷ Ibid, P.14.

²⁸ See Ali, Asad (1994), P. 7.

²⁹ Ibid.

The partition of Palestine not only led the Arab-Israeli war in 1948 but also laid the foundation of a new Palestinians movement which was primarily based upon the use of violence as a political weapon.³⁰ In secret understanding with the Jews and the US, the British withdrew from Palestine on May 14, 1948, without transferring power to any administration for the first time in their colonial history. (The officially declared date for British withdrawal was August 1, 1948) The Jews simultaneously declared the emergence of Israel while the Arabs of Palestine remained stunned by the events. They had not recovered from the defeat and disarming of 1939 and most of their leaders were exiled or on the run outside Palestine.³¹ On 15 May, 1948 the British forces ceremonially withdrew their last detachment and the mandate came to an end and the Palestine Jewish community declared the establishment of Israel as an independent state. At this critical juncture the regular Arab armies of Egypt, Syria, Iraq Lebanon and Jordan crossed into Palestine to rescue their Arab brothers. The initial localized fighting took a new dimension and erupted into a full fledged war.³²

In 1948, the resistance movement was carried on by the peasants and urban masses. Abdul Quadiral Husseini organized a few thousand irregular forces in Palestine. Faozi-at Kawakji a leading commander of the 1936-39 revolt, organized 5,000 to 7,000 armed Arab volunteers who infiltrated into Palestine. During the war Palestinian resistance was crushed and the Arab armies were defeated.³³ In this war to create Israel and Palestinian lost more than 78 per cent of the land of Palestine including the western part of their capital Jerusalem. What remained to the Palestinians were two separate pieces of land known as the West Bank (of the Jordan River) adjacent to the country of Jordan River which included a fragment of their old capital city, East Jerusalem and the Gaza Strip on the Mediterranean

³⁰ Ibid.

³¹ See, Khan Zafarul islam (2009), P.15.

³² See , Amos (1980), PP.7-8.

³³ See, Hussain 91975), P.14.

bordering the Egyptian Sinai Peninsula.³⁴ As a result of the 1948 war, hundreds of thousands of Palestinians were driven out from their cities and villages to neighboring countries by Zionist forces. These dispossessed Palestinians were living in the refugees' camps in different developed areas as against middle class Palestinians. It was a product of their oppressive situations in the refugee camp which made the return of Palestine an urgent necessity.

The Rise of Palestine Liberation Organisation (PLO)

The Palestine Liberation Organization (PLO) is the umbrella organization of the Palestinian resistance. PLO was founded in 1964 with Egyptian backing under Ahmad Shukhairy as chairman. It was meant to be a rival to divert attention from the popular and by then anti-Nasserist Fatah movement. However, after the collapse of the Arab war effort in the 6 day war, Yasser Arafat and the Fatah took over the PLO. Eventually PLO was given UN observer status. It was recognized as "the only legitimate representative of the Palestine people" by almost all Palestinian groups until it undertook to recognize Israel as a Jewish state, abandon violence and opt for a two state solution in the 1993 Oslo Agreements. The PLO became essentially, the Palestine National Authority (PNA) through the Oslo agreements. The PLO charter calls for destruction of Israel. Though it was revised following the Oslo Agreements to remove the offending paragraphs.

After the declaration of the independence of the state of Israel in May 15, 1948 and the non establishment of Palestinian State, the Palestinian national movement, which had been powerful in the 1930s, disappeared from the political scene. It was around 1960 that the Palestinian question came to the fore again. New political elite was in the process of formation on which compensated for the frustration of exile by high levels of education and an active participation in the movements then rocking the Middle East. The Arab regimes were forced to accept

³⁴ See, Hroub, Khaled (2006), P. X.

this reality and in 1964, by a decision of the Arab League, the PLO was created in Jerusalem.³⁵

In January, 1964, an Arab Summit conference which was held in Cairo to discuss the question of the diversion of Jordan River water also accepted the principle of the projection of the "Palestinian entity". According, the Palestinian National Congress meet in Jerusalem on 28 May 1964 and the Palestine Liberation Organization (PLO) was officially created.³⁶ It was led not by the Mufti but by Ahmad Shukairy, a new Palestinian leader who was elected as President of the PLO. It was also decided that Shukairy would appoint the PLO Executive committee comprising 14 members. Hikmet el Masri, Nicola el Durr and Haidar Abdel Shafei were elected vice presidents. Abdul Rahman el Siksek became the Secretary General.³⁷

The Arabs and the Palestinian were sharply divided on the manner Shukairy was selected by the Arab Summit conference in January to represent the Palestinians and the supervised the creation of Palestinian entity. When Shukairy was chosen by selection, he too applied the same principles of selection and appointed the representatives, who attended the Palestinian Congress at Jerusalem. He selected 200 delegates but in fact 360 delegates attended the conference. He rejected the idea of holding general election among the Palestinians on the ground that they were spread throughout the Arab world.³⁸

Shukairy was opposed by the oldest Palestinian Organization the Arab Higher Committee for Palestine under the leadership of the Mufti, hai Amin al Husseini. The Mufti demanded an election among the Palestinians for the post of PLO president and decided to boycott the Jerusalem meeting. In a statement he charged Shukairy's proposed entity as a faked one which led to the liquidation of

³⁵Gresh, Alain (2004), *The New A-Z of the Middle East*, London: I.B. Taurus, P.232.

³⁶Arab World (Beirut), 28 May, 1964.

³⁷See, Hussain (1975), P.16.

³⁸ See, Arab World, 28 May 1964.

the problem.³⁹ Further controversies arose on the two drafts which Shukairy had submitted on the question of the creation of the Palestinian entity. One was the "Palestinian National Charter" which laid down the national rights and obligations of the Palestinians and the other one was the proposed constitution for the creation of the Palestine Liberation Organization.⁴⁰

The Palestine National Charter expressed the hopes and aspiration of the Palestinian people for a homeland.⁴¹ Its limits were the "Boundaries existing under the British Mandate" (Article 2). The charter also said: "The Arab Palestinian people, the rightful owners of the its homeland is an indivisible part of the Arab Nation" (Article 3). The Jewish citizens from Palestine descent were regarded as Palestinians if they wanted to like loyally and peacefully in Palestine (Article 7).

The Charter gave three slogans: National Unity National, Mobilization and Liberation. It was political economic and social systems after liberation (Article 10). It also declared that the fate of the Arab nation, if not the fate Arab existence was dependent on the fate of Palestine (Article 13). The partition of Palestine and the creation of Israel were null and void since it contradicted the right of self-determination under the UN charter. Zionism was called on imperialist, racial and racist movement (Article 17 and 19). It further said that the PLO did not practice any regional sovereignty on the West Bank and the Gaza Strip and confined its activities to national popular level in the fields of liberation, organization, policy and finance (Article 24). The PLO would not interfere in the internal affairs of any of the Arab regimes (Article 26). Article 24 inserted to please King Hussein and President Nasser who were administering those areas which originally belonged to Palestine.⁴²

The constitution for the projected "Palestine Liberation Organization" says that all the Palestinians are natural members of the PLO, who exercise their duty in

³⁹ Ibid.

⁴⁰ The Arab World, 5 March, 1964.

⁴¹ Palestine national Charter 1964.

⁴² Ibid.

the liberation of their homeland (Article 2). It provides for the “national Assembly of the Palestinians Liberation Organization” which would represent all the Palestinians irrespective of their ideological affiliations (Article 5). The national Assembly would elect an” Executive committee of the Liberation Organization” with 15 members who, in their turn would elect a president, two vice-presidents and a secretary represent the Palestinians at the Arab states should give opportunities to the Palestinians at the Arab League (articles 11, 12, and 14). It also suggests that the Arab armies (Article 18). It further provides for private Palestinian contingents to be formed in accordance with military needs and plans decided by the Unified Arab Military Command in agreement with the concerned Arab States (Article 19). These two drafts submitted by Ahmad Shukairy were accepted by the Palestine National congress with minor amendments made by the sub committees.

The Jerusalem congress, however, aroused heated arguments amongst the Arab countries The Palestinian representatives from Syria supported the ruling Baath party plan to demand full sovereignty over all parts of Palestine.⁴³ The Syrian Baath Party voiced its criticism of the Jerusalem Congress. Beirut’s pro-Baathist paper *Al-Ahram* called the resolutions of the Palestine congress as “the Shukairy Congress”⁴⁴ *Al-Bath* of Damascus in its editorial labeled the resolutions as extremely serious and pointed at. Serious one among them were:

- Shukairy’s plan for a “Palestine entity” lacked three necessary elements for ensuring such an entity above everything else the army, the elected authority and sovereignty;
- Arbitrary selection of representatives by Ahmad Shukairy;
- Announcement of the birth of a liberation organization before the approval of the bases on which the Organization was to stand;
- Absence of a military committee; and

⁴³ Arab World, June, 1964.

⁴⁴ Al-Ahram, 3 June, 1964.

- Decision to appoint the Head of the Executive Committee and leave him the choice of naming its members and considering the conference a National Assembly.⁴⁵

Since Ahmad Shukairy subordinated the Palestinian resistance to Arab regimes he was supported by President Nasser, president Arif of Iraq and King Hussain. The Saudi Arabian Government opposed him because he had opposed Saudi Arabian stand in the UN.

Though the formation of the PLO was a step towards the liberation of Palestine it was not of much significance. The PLO did not seriously believe in “revolutionary violence” by the masses. The Palestine Liberation Army was to be at the disposal of the Arab Armies and would not according to the latter’s sweet will. Moreover, the PLO adopted a bureaucratic framework with hierarchies. Neither did it believe in people’s war nor in politicizing the masses for the national war of liberation. Sacrificing Palestinian claim over Gaza and the West bank for the sake of friendly relations with Egypt and Jordan was a mistake committed by Shukairy. The congress did not give priority to armed struggle though there was plan to create the “Palestine Liberation Army” (PLA) within a period of two year. No PLA Shafik el Hout, sub-editor of Beirut’s weekly, *Al-Hawadith*, later on revealed that, although the creation of an army was recommended by one of the congress sub-committees, it was not submitted to the congress with other recommendations at the last session Ahmad Shukairy but did not get any satisfactory answer. Later on they took up the matter with Bahjat el Talhouni, chief of the Jordanian Royal Cabinet, who told them: “ You may be right in your demand for a (Palestinian army from the West bank and leave the area to the responsibility of your army. ⁴⁶ “Then, Hout said, “a House without walls or a roof”.

⁴⁵ Al-Baath (editorial), 21 June, 1964, quoted in the Arab World, 3 June 1964.

⁴⁶ The Arab World, 5 June, 1964.

The military recommendations had a limited scope. They called for the opening of military training camps for Palestine refugees and suggested that the Palestinians be allowed to join Arab military academics. There was much speculation among the masses about the projected Army. It was hoped that it would be like the “Algerian Liberation army”. There was also a plan for the creation of Fedayeen (Commando) groups within the framework of the Arab unified Command and under its supervision.⁴⁷

The Arab regimes were concerned about their own interests rather than those of the Palestinians. It was obligatory on the part of Egypt and Jordan to leave Gaza and West bank in the greater interest of Palestine liberation. Shukairy might not have been able to ask for these two areas for the Palestinians lest he might have been made bases of the Palestinians in order to launch the liberation struggle. The PLO led by Shukairy could not achieve anything. Neither did not it start a guerilla war nor did nit prepare the masses for a war of liberation. He only made Press statements from time to time. The officers of the PLA were drawing attractive salaries under the Arab Armies. Most of the PLA contingents were stationed in Egypt. It depended upon the Arab Armies to defeat Israel and consequently it had to face humiliating defeat along with the Arab Armies in the war of June, 1967.

Goals and Strategy of the PLO

Under the sponsorship of the Arab League, the Palestinian Liberation Organization (PLO) was established by the first Palestine National Congress meeting in Arab Jerusalem in May 1964. Ahmad Shukairy belongs to influential Nashashibi family which was dominated among the Palestinians and he was also a popular leader and became the first president of the PLO. The PLO committed

⁴⁷ See, Hussain, (1975), P.19.

itself to the armed struggle but did not become a major militant force until after the 1967 war in which Israeli occupied the West bank and Gaza Strip.⁴⁸

In fact, the PLO created with the political, financial and military support of the Arab League, could hardly operate independently. Its appointments organization, training and activities were decided by the Arab League, particularly by Egypt. The PLO's main governmental patron was the United Arab Republic (UAR) and its constituency among the Palestinians was with the "established" bourgeois professional notables.⁴⁹ The PLO Charter gave three slogans national unity, national mobilization and liberation. It declared the partition of Palestine and the creation of Israel as null and void. Since it contradicted the right of self-determination under the UN charter. Zionism was called an imperialist, racial and fascist movement.

The goals of the Palestine Liberation Organization are as follows:

- The dismantling of the state of Israel and the defeat of the "Imperialist Zionist movement, which is racist and fanatic in its nature aggressive, expansionist and colonial in its aims and fascist in its methods.
- Removal from Palestine of all Jews who had not" normally resided in Palestine" at the time of the Zionist invasion
- Establishment of a Palestine state as the homeland of the Arab Palestinian peoples, with the boundaries it had during the British Mandate an invisible territorial unit.

The means to achieve these goals are also clearly stated in the covenant "Armed struggle is the only way to liberate of Palestine."⁵⁰ The military recommendations called for the Palestine refugees and suggested that the Palestinians be allowed to join Arab military academics. It was recommended that

⁴⁸ See Ali, Asad (1994), P.13.

⁴⁹ Ibid.

⁵⁰ See, Hussain (1975), P.18.

it would be like the “Algerian Liberation Army”. There was also a plan for the creation for the Fidayeen (Commando) groups within the framework of the Arab United command and under its supervision.⁵¹

After establishment of the PLO, Al Fatah joined the PLO but tried to retain its own identity within the PLO. They started armed struggle for the liberation of Palestine. On 1st January 1965 Al-Fatah’s armed wing known as *al-Assifa* which consists of the Fidayeen from refugee camps launched a remarkable operation and below up the main water pump in Eitan amoshav in the south near Kiryat Gate after six days al-Fatah commando attacked the main installation in the 2,600 ft. Long Eilabum Tunel which was built by the Israeli Government to divert the Jordan River water.

PLO in Palestine Politics

After the declaration of independence of the state of Israel in 1948 and the non establishment of a Palestinian state, the Palestinian national movement, which had been powerful in the 1930s, disappeared from the political scene. It was around 1960 that the Palestine question came to the fore again. New political elite was in the process of formation, which compensated for the frustration of exile by high levels of education and an active participation in the movements then rocking the West Asia. The Arab regimes were forced to accept this reality and in 1964 by a decision of the Arab League, the PLO was created in Jerusalem.

Led by Ahmad Shukairi, it was under Arab tutelage, in particular that of Nasser’s Egypt that Palestinians placed their hopes for the liberation of Palestine. Other organization developed concurrently, including Fatah created in 1950 by a young Palestinians engineer, Yassir Arafat.⁵² Taking a more radical stop, he wanted to be independent of the Arab countries and to rely primarily on the

⁵¹See, Ali, Asad (1994), P.14.

⁵² See, Gresh, Alain and Dominique Vidal (2004), P. 332.

Palestinian people themselves. On 1 January 1965, *al-asifa*, the military wing of Fatah, undertook its first military operation against Israel. Its aim was the destruction of the 'Zionist entity', the creation of a Palestinian state and the right of return of the million of Palestinians refugees who had been victims of the expulsion in 1948-50.

The 1967 war and the defeat of Egypt, Syria and Jordan brought about a radical transformation of the PLO, which adopted a new National Charter in July 1968 and integrated various armed organizations under the leadership of Yasser Arafat, president of the PLO Executive Committee.⁵³ The structures of the renewed PLO gradually fell into place. The first of these was a Palestine National Council (PNC), a kind of parliament that sits approximately every two years. A third of the delegates represent armed organisation the other two third represent mass organization (student, women writers, and trade unions) independent personalities and the various exiled Palestinian communities from Kuwait to Brazil. The PNC elects the Executive Committee that runs the organisation over the years, especially in Lebanon the PLO succeeded in building a virtual state machine (with ministers, research centers a health care and industrial infrastructure) whose power was at its peak on the eve of the 1982 war.

Even though emerged as the unified Palestinian resistance, each of the organizations retained considerable autonomy. They number around a dozen Fatah, George Habash's Popular Front for the Liberation of Palestine (PFLP); Nayef Hauratmen's Democratic Front for the Liberation of Palestine (DFLP); al-Saiqa, tied to Damascus, the Arab Liberation Front, formally under the thumb of Baghdad the PFLP General Command of Ahmad Abulk, to mention only the most important. Each of these groups had its own armed force, and often received support from one or other of the Arab regimes. The PLO is therefore a non-

⁵³ Ibid.

integrated organisation where the unity of the various components is constantly in question.⁵⁴

After the defeat of the Arab armies in 1967, the PLO decided to carry out armed struggle and launched operations against Israeli economic and military targets backed by underground cells in the West Bank and Gaza from safe bases in Jordan. the Palestinian resistance movement But the relations between the PLO and King Hussein came under strain which culminated in September 1970 Black September.⁵⁵ These events were to have profound consequences. The PLO withdrew to Lebanon which became the last Arab country where it possessed military and therefore political autonomy it reconsidered its position that made armed struggle the only road towards the liberation of Palestine, and committed itself to both political (especially on the West Bank) and diplomatic action.⁵⁶

The October 1973 War changed the situation and the balance of power. The Arab Countries at the summits of Rabat 1973 and Algiers 1974 recognised the PLO as the sole representative of the Palestinian people. The Non-Aligned countries rallied to this position and accentuated the isolation of Israel (diplomatic relations between virtually all African states and Israel were broken off). Relations between the Palestinian resistance and the Soviet Union, which had their ups and downs improved. Moscow would henceforth put all its weight behind Arafat. This breakthrough by the PLO was consolidated by the visit of its leader to the UN General Assembly in November 1974, and its admission as an observer member of the UN. Within this framework the PLO renounced international terrorism, concentrated its military presence in Lebanon, and adopted a new political strategy after a long internal struggle between the 'realists' and the extremists'.⁵⁷

Until 1973, the PLO had stood by the liberation of the whole of Palestine' as proclaimed by the National Charter and the 'creation of a democratic state

⁵⁴ Ibid, P.333.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

where Muslims, Christians and Jews will coexist', which presupposed the destruction of the state structures of Israel and the integration of its Jewish population into the new state. From 1974, at the triple prompting of Fatah, the DFLP and the Palestinians of the Occupied Territories, the PLO proposed the creation of a state based on the West Bank and Gaza. Although the new proposal did not entail the *de jure* recognition of the state of Israel, which the PLO refused considering this as its only card in any eventual negotiations, it presupposed the effective coexistence of two states. The PFLP refused this course, walked out of the Central Committee and, along with its other smaller organizations and created the Rejection Front. The confrontation lasted three years and ended in 1977 in victory for the 'realists'.

But the situation changed with the outbreak of the Civil War in Lebanon. The Palestinians, engaged in the Lebanese Civil War of the 1975-76 fell off with Damascus following the Syrian military intervention.⁵⁸ This episode, symbolised by the siege of Tel al-Za'atar camp, was a perfect illustration of the ambiguous relations established between the PLO and the various Arab regimes: when their interests were at risk the latter had no hesitation in sacrificing their Palestinian brothers. The international background had also changed. Between 1974 and 1977 there had been a real possibility of convening a peace conference on West Asia, co-sponsored by the US and the USSR, and even of finding a global solution to the Arab-Israeli conflict. This helped the 'realists' to carry the day within the PLO.

But Anwar al-Sadat's visit to Jerusalem, in November 1977, followed by the signing of the Camp David Accords, destroyed this process in favor of that of a separate peace. While Egypt was to regain Sinai, the Palestinians were to obtain autonomy only under occupation- massively rejected by the Palestinians of the West bank and Gaza, despite their reputed 'realism'. The dynamics of the 1974-77 situations were destroyed. Despite massive mobilisation of the 'Palestinians of the interior'. Despite initiatives, of which the contacts between the PLO and left-wing

⁵⁸ Ibid, P.234.

Israeli Zionists (the Sartawi-Peled-Avnery encounters) were hardly the least spectacular, and despite its breakthrough in Western Europe, the Palestinian resistance movement had lost the initiative. On 6 June 1982 Israel, liberated on its southern front, launched Operation Peace in Galilee.

While the conquest of south Lebanon by the Israeli army took only a few days, the siege of Beirut was to last almost three months. These terrible days were to be widely reported by the international press and like the massacres of Sabra and Shatila, would contribute to the tarnishing of Israel's image. Despite fierce resistance, Arafat and his followers were forced to leave the Lebanese capital. A page had been turned in the history of the PLO. Losses were heavy. The resistance movement's politico-administrative machinery, concentrated in Beirut, was destroyed, and the PLO lost the 'capital' from which it had been able to deploy an intense political, diplomatic and military activity.⁵⁹ A more serious problem was that the leadership of the resistance movement was henceforth effectively cut off from the main body of the Palestinian people. It no longer had contact with the last sizeable group of Palestinians which had supplied it with a large proportion of its soldiers and many of its cadres. Lastly, with the departure of its fighters from Lebanon, the very idea of armed struggle, one of the PLO's key traditions, was affected.

For the first time since the Six Day 1967 War, the PLO was no longer present on the enemy's borders. Far from the battlefield, it ran the risk of losing its political clout and autonomy, and failed to attract younger generation, particularly those in the camps. It was against this background of crisis and uncertainty that the debates on strategic choices for the PLO resurfaced. For several years the factions of the PLO would tear themselves apart in search of a strategy that seemed impossible to find. The signing on 11 February 1985, of an agreement between King Hussein and Arafat revived tensions. It was fervently denounced by almost all factions of the PLO, with the exceptions of Fatah. The Palestinian National

⁵⁹ Ibid.

Salvation Front, combining Habash's PFLP, Jibril's PFLP-General Command, the Fatah dissidents al Sa'iqa and Abu Nidal's group, with the full support of Syria, tried to set up an alternative to the PLO. But clashes between Amal and the Palestinians in Lebanon and the Hussein's repeal, in February 1986, of the Jordanian Palestinian agreement, combined with to the efforts of the Soviet Union, ended in reconciliation. In April 1987, in Algiers, the Eighteenth Palestinian National Council met, with the participation of Fatah, the PFLP, DFLP and the Communist Party (a member of which was elected to the Executive Committee for the first time).⁶⁰

The crisis provoked by the departure from Beirut remained. It would take the first Intifada to shake the PLO from its state of paralysis. While the organization was not directly responsible for the outbreak of the rebellion on the West bank and in Gaza, all the demonstrators nonetheless unequivocally identified with it; the PLO thus acquired a stronger legitimacy, and the power to make the radical diplomatic and political decisions necessary. From 12 to 15 November 1988 Algiers was the scene of the Nineteenth National Council, involving Fatah, the PFLP, DFLP, Communist Party and a few other small organizations;⁶¹ only the PFLP General Command, al Saiqa, the Fatah dissidents and Abu Nidal's group refused to participate, and later condemned the Council's conclusions.

The most spectacular decision was the proclamation made on 15 November, of the establishing of a Palestinian State, which was quickly recognized by more than 90 countries, including Egypt. More important, perhaps was the reference made in the declaration of independence to UN Resolution 181, the famous Partition Plan. For the first time, the PLO ratified this UN decision to partition Palestine into two states, one Jewish the other Arab. In its political statement the PLO called for the convening of an international conference at which it would be a full member based on Resolutions 242 and 338 of the Un Security Council, and the guarantee of legitimate national rights for the Palestinians. This

⁶⁰ Ibid, P.235.

⁶¹ See, Hussain (1974), P.57.

acceptance, for the first time, of Resolution 242, which does not even mention Palestinians but refers simply to the 'refugee' problem, was a spectacular gesture for the benefit of Western opinion, all in the US. It nonetheless aroused fierce internal debates; some, particularly the PFLP voted against the resolution or abstained. But there was another innovation; the minority agreed to abide by the majority decisions: the sacrosanct system of consensus that had for so long paralyzed the PLO was 'forgotten'.⁶²

It was in this context that the Gulf crisis erupted, to be followed by the Gulf War. Many Palestinians and some among the PLO leadership hoped that Saddam Hussein would succeed in reversing the balance of forces in the region and forcing a solution to their problem. This was a tragic illusion which cost them dearly: the PLO lost the support of the Gulf States and isolated itself internationally. It seemed to have been virtually swept off the political scene when, in March 1991, following the defeat of Iraq, President Bush's administration relaunched the peace negotiations. The PLO also, for the first time, experienced competition from another political movement. Hamas which refused to join its ranks.⁶³

All the same, the PLO remained a key player with strong support among the Palestinians, particularly those from the West bank and Gaza. Thus, when the time came to choose Palestinian representatives for a peace conference, which was the central point of negotiations for many months, the choice could not be made without reference to chairman Arafat. The Palestinian delegation that was finally chosen – including its president, Haydar Abdel Shafi and its various advisors – Faisal Husseini and Hanan Ashrawi made no secret of the fact. In September 1991, the Palestinian National council, despite powerful internal opposition, agreed to American proposals for the holding of a peace conference.⁶⁴ This acceptance was confirmed by a majority on the organization's Central Council – Fatah, the Communist Party (later to become the popular Party) and independents – despite

⁶²See, Giresh, Alain, and Dominique Vidal (2004), P.236.

⁶³ Ibid.

⁶⁴ Ibid.

the opposition of the PFLP and DFLP. The PLO made major concessions; the peace conference would not be international (the UN was kept out; Europe was marginalized) and its remit was circumscribed; there would be no Palestinian delegates representing the millions of exiles, or the Palestinians of Jerusalem, and the PLO was kept out in the corridor; the Palestinian's right to self determination was not recognized at least for the first period, they would have to content themselves with simple autonomy.

However the opening of negotiations in Madrid on 30 October 1991 signaled an international recognition of the Palestinian cause. For the first time since 1948 the Palestinians were able to make their voices heard in a Middle East peace conference. But once again the negotiations ran aground on the intransigence of the Yitzhak Shamir government. After months of U-turns, the Labour victory in 1992 made possible the opening of a 'secret channel' of negotiations, which resulted in the Oslo Accords.

The reasons which led the PLO to sign a document that was manifestly a step backwards in relation to the legitimate demands of the Palestinians were many. The organization had been weakened by the position it took up during the Gulf War. Since the summer of 1982 it had lost a substantial part of its resources; many cadres had abandoned it, preferring to go into business; its armed forces were dispersed and no longer had a capacity for armed action; since the Gulf states refused to finance it, its financial resources were minimal and it could not meet the needs of its apparatus. Finally, nepotism and corruption were undermining its authority, particularly when one compares it to the moral rigour exhibited by the cadres of Hamas. Arafat, isolated since the assassinations of Abu Jihad and Abu Iyad, took all decisions upon himself. More than ever the PLO became identified with him.

Was he simply trying to maintain his power?" Did he think that the Palestinians had no other choice? Whatever the case, his decision to base himself in Gaza radically changed the PLO's situation. For the first time in history, a Palestinian Authority was installed in the traditional land of Palestine. While the

PLO continues to exist – if only because it is seen as representing the whole of the Palestinian people, including the refugees- it is progressively losing the little substance that remained to it. The majority of its institutions were repatriated to the Autonomous Territories, except the political department, which dealt with international relations, based in Tunis and led by Farouq Qaddoumi, who had turned dissident. Its institutions the PNC and the Central Council – have nevertheless served as a framework for dialogue with the organizations which rejected the Oslo Accords, notably the PFLP and the DFLP.⁶⁵

The Twenty-first Palestinian National Council (PNC) was convened in April 1996 in Gaza to abrogate the National Charter, in line with Arafat's promise. By 504 votes out of 572 the PNC decided to abolish the articles of the Charter which rejected Israeli's right to exist'-half of the 54 votes against came from members of the Legislative Council elected on 20 January 1996, in other words from people who had their legitimacy not from Arafat but from universal suffrage. This meeting also confirmed the 'return' to traditional Palestine of the leaders of the principle opposition organizations, notably those of the DFLP with the exception of Nayef Hawatmeh- and the PFLP with the exception of George Habash.

In 1999, on the eve of negotiations of the final status of the Palestinian territories, Arafat launched an offer of Palestinian dialogue with the opposition, to which the PFLP and the DFLP responded positively, in order to co-ordinate their position on the 'Palestinian constants': the creation of an independent Palestinian state with Jerusalem as its capital, the dismantling of Israeli settlements, the return of refugees to their homes and the reactivation of the PLO as the framework for Palestinian political action. But the blockage of the peace process, and the subsequent outbreak of the second Intifada, rendered these initiatives non-viable. Meanwhile the PNC met once again in December 1998, in the presence of President Bill Clinton, to confirm the abrogation of the Charter.

⁶⁵ Ibid, P.237.

Once repatriated, the PLO lost much of its substance, and in many ways became reduced to an instrument in the hands of Arafat as a counterweight to the Palestinians of the interior. Its main, and historic, success was to have mobilized the Palestinian people and to have contributed to the Palestinian national renaissance post 1948. Its principal failure and that of its President, Yasser Arafat – was its inability to create an independent state. Its impotence to stop, in time, the militarisation of the second Intifada has helped Ariel Sharon's strategy. At a time when the Authority was being pounded by the blows of the Israeli army, and the Palestinian refugees remained at the mercy of their host countries, the future of the Palestinian people would depend on their ability to maintain this framework of action, which the Palestine Liberation Organisation represented for nearly forty years.

Rise of Hamas

Since creation of Hamas, Palestinian political Structure has been change. Hamas came in Palestine politics as an alternative PLO for the Palestinian peoples. Islamic Resistance Movement (Hamas) is an Islamic Palestinian socio-political organisation which includes paramilitary forces, the Izze-ud-Din al-Qassam Brigades. Hamas was created in 1988 by Sheikh Ahmad Yassin, after first Palestinian Intifada in 1987, an uprising against Israeli Rubin the Palestinian Territories. Hamas has been pursue Islamic state in Palestine and oppose PLO's secular ideology. Inception Hamas has fought the PLO for legitimacy and support of the Palestinian public. During the Intifada the rift between the movements shaped as they both tried to gain the upper hand. While the PLO leadership was based in far away units, the Hamas leadership operated from the O.T.S. also Hamas was able to operate from mosque and religious schools which evaded Israeli damp down during the Intifada had more appeal than secular and nationalistic calls by the PLO. The PLO was seen as an organization that sought to legitimize Israeli occupation of the Palestinian people. Hamas also began to challenge Fatah's role as the sole representative of the people were often seen on

the walls of Gaza city. The PLO response with the declaration that each rival with the PLO is a rivalry our home land. The PLO is the State, not just a party within it.⁶⁶

During December 1992, when Israel deported 415 Hamas activists to Al Mahoujz in Southern Lebanon, Hamas tried to convert the international and Palestinian sympathy that the Israeli action had evoked into political power by trying to force the PLO to break off all negotiations with Israel. However the PLO insisted that political involvement with Israel and other countries would finally pressure Israel to revoke its decision regarding to deportees. At first in December 1992 the PLO linked continuing of talks with the return of the Hamas deportees but later modified its stand.⁶⁷

Although the Hamas charter does not leave any room for a negotiated settlement in September 1990, Sheikh Yassin stated that following Israeli withdrawal to pre 1967 borders he could think of talking to Israel and also participate in Palestinian Election. To stop violence against Israel Yassin was ready for a ten year truce if Israel freed all Palestinian prisoners stopped its action against Palestinians and cancelled its burdensome tax programmed. As the PLO grew in international stature following its Declaration of Independence (1998) participation in Madrid peace conference (1991) and the Oslo records (1993-94), Hamas tried to open a dialogue with the PLO and be part of the political process. But when PLO initiatives were not all that successful and Hamas won additional seats in professional or students' elections Hamas leaders assumed they could afford to stick to the hard line approach of its charter. It was a love hate relationship. Hamas charter says it considers the PLO to be amongst the closest to Hamas, for it constitutes "father a brother a relative, a friend can a Muslim turn away from his father his brother his relative or his friends our homeland is one our calamity is

⁶⁶ Menachem Klein (1997), "*Competing Brother: the Web of Hamas PLO Relations*" in Bruce Maddy Weitzman and Efraim Inbar, eds *Religious Radicalism in the Greater Middle East*, London, Frankcass, P.115.

⁶⁷ *Ibid*, P.115.

one, our distinctly is one enemy in common to both of US.⁶⁸ Hamas also declared that “whoever has no brother is like a fighter who runs to ballet without weapons. No falcon can take off without wings.”⁶⁹ Thus Hamas consider PLO and itself as wing of the movement.

By emphasising the Islamic content of the Palestine conflict, Hamas tried to supplant the secular PLO as the leader over 20 year of Israeli occupation during which the PLO was proved ineffective. In a way Hamas has Palestine’s Islam as well as Islamised the Arab-Israeli conflict.⁷⁰ Despite PLO Hamas clashes, both sides have avoided an outright civil war and so playing into Israeli hands.⁷¹ During the Madrid conference of 1991, Hamas asked for 40-50 percent of the seats in the PNC election but even that was refused. The September 1993, DOP was seen by Hamas as a surrender to Israeli in which the PLO would have to revoke many of its clauses in the Palestinian National convent (1960) and give up its right to resists Israeli occupation. Israel had pressured Arafat to act against containment of Hamas and Islamic terrorists. This was seen as a bridge for Israel to penetrate the Arab world. “We consider this to be a great historic act of treason and a dangerous one which will begin the dissolution of this leadership which had sole the struggle sold the blood and sold the rights of the Palestinian people”.⁷²

Hamas saw more eyes with the rejectionist front led by Iran-Iraq and the breaking eight factions of the PLO in include DFLP, PLFP, PELP-GC and other small group. The Palestinian struggle was being split between Arafats Fatah, and the rejections including Hamas. Hamas was unable to convince the people to behave according to its radical, puritanical interpretations of Islamic law. As per research conducted by the Centre for Palestine Research and Studies support for Hamas in April august and December 1994 was 15.9 percent 13.91 and 16.6

⁶⁸ Ibid, P.14.

⁶⁹ Ibid. P.14.

⁷⁰ Ibid, P.15.

⁷¹ Ibid, P.117.

⁷²Ibid, P.110.

percent, while Fatah was supported Arafat as the leader of the PA while Sheikh Yassin received only 19.7 percent while 53 percent of the population were satisfied with the PA's functioning only 21 percent felt they were not happy with Arafat's Style of functioning.⁷³ In November 1994 the PA and Hamas came to an agreement and nominated Shah Bitani, the most prominent pro-Hamas religious representative in the West Bank as head of the Palestinian Religious courts in the West Bank and in addition, the PA introduced in ant-vice Section to the Palestinian police composed of and commanded by Hamas activists. This allowed Hamas to act as the watch dog to Islamic morality in Gaza after signing the DOP in September 1993 Hamas carried out several operations against Israeli targets in Hadera and Afula (April 1994), Tel Aviv October 1994), and (December Jerusalem 1994). This action caused severe Israeli reactions.

The redeployment of its troops was halted and closures of the West Bank and the Gaza Strip was imposed. Arafat's leadership was being undermined. He was therefore forced to use his armed Policy and cooperate with the Israeli against Hamas. In 1995 he arrested almost 250 Hamas activists, closed down the *al-Watan weekly* Hamas newspaper and jailed its editor. He established military courts which spokesman Ibrahim Ghawshe. In addition, Hamas member were directed to hand in their weapons, as only the Palestinian police were allowed to carry fire-arms. He ordered Hamas to stop attacking Israeli targets in PA areas stop acquiring arms and explosives and not to train in Gaza. In 1996, Israeli had assassinated Syyash 'the engineer' a Hamas bomb maker and Hamas broke the agreement with P.A. it launched four suicide bomb attack between 25 February and 4 March in Jerusalem, Tel Abir and Ashkelon in which 70 Israeli were killed and about 100 injured.⁷⁴ Under Israeli Pressure, Arafat was forced again to crackdown on Hamas. The PA even uncovered a secret Hamas cell plotting Arafat's assassination. Even charitable and educational institutions were raided. However Israeli has accused Arafat of the

⁷³ Ibid, P.118.

⁷⁴ Ibid, P.126.

revolving door policy as far as terrorists are concerned i.e., they are taken into custody and then released again after a short term imprisonment.

In October 1998 after the Wyes Memorandum, Arafat took the extreme step of placing Hamas leader Sheikh Kassin under house arrest apart from crackdown to appease Israel and the USA. In March 1999, there were widespread disturbances and clashes in the West Bank when a military court sentences a Hamas activity to death for shooting and killing a Palestinian Policemen. Although Israel had first encouraged Islamic group to erode the authority of the secular and nationalist PLO, it found that it had created a monster which rose to challenge both the PLO and the peace process.

Hamas, the Islamic resistance movement, was born as a voice of Palestinians during first uprising, which marked the beginning of the political Islamic forces in the West Bank and Gaza Strip. They have to face Israeli occupation on the one hand and the national secular forces led by the PLO on the other. Until the emergence of the Hamas, the most important Islamic movement in the occupied territories, the Muslim Brotherhood had shied away from active resistance against the Israeli occupation – a decision that stood in the way of its full development as a popular force. This situation began to change with the outbreak of the Palestinian uprising, which led the Muslim Brotherhood to play an active role in the resistance for the first time. It was thus the Islamic movement after many years in existence was able to emerge as the first challenge in the occupied territories to the dominant nationalist trend.¹

The new force of Hamas soon overshadowed its parent organisation now prevails in a number of localities especially the Gaza strip with a magnitude that parallels that of Fatah, the largest faction of the PLO factions. Its emergence has brought about a state of imbalance in the decades. Moreover, the developing rivalry between the Islamic trend led by Hamas and the secular nationalist under the PLO may not cease in the event that the Israeli occupation ends since what is at stake in this rivalry is nothing less than the leadership, the identity and the future direction of the Palestinian people.

Rise of Muslim Brotherhood

The Muslim Brotherhood is the originator of Hamas, and has been playing important role in Hamas policy. The Muslim brotherhood spread as an Islamic Group in occupied territories since Arab-Israel war in 1948. The founder of Hamas, religious leader Sheikh Ahmad Yassin was inspired by Brotherhood ideology. The Brotherhood was founded in Egypt in 1928 by Hasan-al Banna, and soon spread to other parts of the Arab world. In his attempt to revitalise the Islamic call, al- Banna stressed three

¹ Abu-Amr, Ziad (1993), "Hamas: A Historical and Political Background", *Journal of Palestine Studies*, 22(4):5.

elements revival organisation. The goal of al-Banna's movements, like other Islamic revival groups, was to transform society as closely as possible to an Islamic state, with no distinction being made between religion and government, and with the Quran and the sunna serving as the basis for all aspects of life.²

The Brotherhood's connection with Palestine dates back to 1935, when Hasan al-Banna sent his brother, 'Abdal-Rahman al-Banna, to establish contact there. In 1945, the group inaugurated its first branch in Jerusalem. With the assistance of the mother group in Egypt, more branches were established in other Palestinian town, reaching twenty-five by the year 1947. The branches had membership ranging from 12, 000 to 20 000 and were attached to command of the Muslim Brotherhood in Cairo. Al-Hayy Amin al-Husseni, preeminent Palestinian nationalist leader, was named a local leader of the groups.³

It should be noted that the Muslim Brotherhood in Palestine, while embracing the same ideology as the society across the Arab world, does give a special place to two figures aside from the founder Hasan al-Banna. One important model for Palestinian Islamists is Sayyad Qutb, who was executed in Egypt in 1966 and is considered a true symbol of revolutionary Islam.⁴ In contrast to Hasan al-Banna known for his moderation, Qutb, embodies the concept of active opposition to and non cooperation with the existing unislamic rulers.

The most important intellectual and theoretician of the Muslim Brotherhood was Sayyid Qutub. The doctrine and methods developed and propagated by his author are still highly important for contemporary Sunni fundamentalist groups. In his early work, social justice in Islam (*Al-'Adal al-Ijtima'iyya fil-Islam*), Qutub demonstrates that Islam guarantees social justice which emanates from the Islamic principle of the equality of men. Islamic rule thus excludes oppression which no man-made system such as communism or capitalism can avoid.⁵ But it is in the most influential and

² Ibid., P-6

³ Ibid, P-6

⁴ Ibid, P-6

⁵ Nurse, Andrea (1998), *Muslim Palestine: The ideology of Hamas*, Harward; Academic Press P.13

voluminous Quranic exegesis (*tafsir*) *Fi Zilal al-Quran*, written in prison between 1953 and 1964 the Qutb exposed his most novel ideas: his interpretation of *Jahiliyya* and the notion of *Hakimiyyat* of Allah (sovereignty of God). He does not limit *Jahiliyya* to the time of pagan ignorance reigning on the Arabian Peninsula before the arrival of Muhammad, but interprets it as a situation which occurs at any time when God's laws are neglected by society and rulers. Faith is not a mere belief but has to be expressed in deeds and daily life True Muslims must express their faith through active participation in the Islamic venture on earth societies with man made legislation such as constitutions other than the Quran are considered to in *Jahiliyya*.⁶

Thus most of the existing government in the Arab-Muslim world is considered *jahili* which represents a revolutionary departure from traditional Islamic teaching in which it is a serious infraction to declare a Muslim an infidel. This new thought with the ideological basis for opposition against Muslim government, this can be described as a "commentary with a definite aim"⁷ or a "campaign of struggle"⁸ "His driving objective was that the Muslims of today should be able to live and practice true Islam generations".⁹ Following the example of the first Muslims who emigrated to Medina (*Hijra*) and only attracted Mecca (Muslim pilgrims in Saudi Arabia) when they left strong enough to do so, Qutb elaborated the theory of an ever growing nucleus of "true" believers that should be developed until it can wage a jihad against the surrounding society and its rulers. He believed that only through jihad could the sovereignty of God (*Hakimiyyat* of Allah) be re-established. This would be source of law.¹⁰ Qutb did not elaborate how exactly the state, society and economy would be organised under the Islamic order.

⁶ Mohapatra, Aswini K. (2002), "Radical Islam: Ideology Behind Global Terrorism", *India Quarterly*, 58 (2):93-96

⁷ Muhammad Qutb in the Introduction to the English translation of his brother's *Tafsir in shade of the Quran*, (London 1979) P. XVI

⁸ *Ibid*, P-XI

⁹ *Ibid*, P-XIII

¹⁰ Nurse, Adrea (1998), *Muslim Palestine: The ideology of Hamas*, Harvard:Harvard Academic Press, P.14

The Muslim brotherhood movements, and movements that share the same intellectual background and understanding are presently the most powerful and active political movements in West Asia. They are represented on the political scene and their members enjoy parliamentary, legitimacy in Jordan, Yemen, Kuwait, Morocco, Sudan, Algeria, Iraq and Bahrain. They are also strongly represented in the outlawed opposition in places such as Libya, Tunisia, Syria and Saudi Arabia¹¹. Although they share the same background and sources of teaching these movements are greatly colored by their own nationalist concerns and agenda. There is no obligatory hierarchical organisation structure that combines all of them into one single transnational organisation.

After the creation of Israel in 1948, relations between the Brotherhood and the Hashemite leadership in Jordan which had annexed the West Bank in 1950 were generally smooth and cordial despite periodic tension. The activity of the Brotherhood in the West Bank was not political in the main but social and religious. In the Gaza Strip, on the other hand, administered by Egypt until 1967, the Brotherhood's relations with administration were problematic most of the time and the Brothers were persecuted and outlawed.

In the years following the Israeli occupation of the West Bank and Gaza in mainly on what it described as "the upbringing of an Islamic generation" through the establishment of religious schools, charity associations, social clubs, and so on. But the Brotherhood's emphasis on the Islamic restructuring of society and religious education seemed to have little relevance for a population that was seeking liberation from foreign occupation. The emerging Palestinian nationalist existence movement had for greater appeal and the failure of the Brotherhood to participate in this resistance cost them many potential adherents.¹²

Several factors, both organisational and objective, contributed to strengthening the Brotherhood. In 1971, *al-Mujamma al-Islami* (the Islamic center) was established

¹¹ See, Hroub, Khaled (2006), P.7

¹² Abu-Amr, Ziad (19983), "Hamas" A Historical and Political Background", *Journal of Palestine Studies*, 22(4):7

in Gaza by Shaykh Ahmad Yassin, a dynamic preacher and 1948 refugee who was later to become the primary force of time, virtually all religious organisations and institutions dominated by the Brotherhood including the Islamic University in Gaza were controlled through the center. Then, in the 1970s the centralising affects of al-Mujamma the leadership of the Muslim Brotherhood, Jordan was now merged into a single organisation called "The Muslim Brotherhood society in Jordan and Palestine."¹³ This reorganisation affected in the occupied territories by ringing guidance instruction and support from the society and its leadership based in Jordan.

The organisational changes laid the groundwork for the Brotherhood's growth. Then, in the late 1970's certain disillusionment had begun to spread with regard to the Palestinian resistant movement led by secular forces making the population more amenable to alternative political or ideological approaches. The Islamic revolution in Iran also had a galvanising effect, capturing people's imaginations. These factors gave a boost to the Brotherhood which stepped up its political activities aimed at countering the secularist factions of the PLO, with only part of the group's efforts being directed against the Israeli occupation. Moreover, while the occupation authorities were expending considerable energies on dismantling and repressing the resistance organisations, the Muslim Brotherhood which was not involved in armed resistance, was able to build its organisational structure and pursue its work among the masses with little Israeli interference¹⁴.

The Muslim Brotherhood had a number of means at its disposal in spreading religious ideas and rallying support for the Islamic movement. Aside from the various associations it had established throughout the territories such as libraries and sports and social clubs the organisation used *zakat* (alms giving, One of the five pillars of Islam) to help thousands of needy families. Thousands of children were enrolled in nursery schools, kindergartens, and schools run by the Islamic movement. Loans were

¹³ Interview with Yusuf al-Azm, a Muslim Brotherhood leader and Members of Parliament in Jordan, Amman, 30 May 1989.

¹⁴ See Aswini K. Mohapatra, (1993), "Islamic Genie: Why Hamas Poses Threat to PLO", *The Statesman* (Kolkata), July 9, 1993

extended to student in Palestinian and Arab universities.¹⁵ The Brotherhood was also able to gain significant access to the population through its increasing controls an extensive network of property that it leases to the local inhabitants. In the Gaza strip, *waqf* constitutes 10 percent of all real estate: “Hundreds of shops, apartment garages, public buildings, and about 2, 000 scores of people, from preachers and other clerics to grave diggers.”¹⁶

But the Muslim Brotherhood’s most effective tool in spreading its influence was the mosques, especially given their proliferation following the Israeli occupation. Thus, in the period from 1967 to 1987, the number of mosques in the west bank rose from 400 to 750, in the Gaza strip from 200 to 600.¹⁷ Mosques as sanctuaries generally are not subject to interference from the Israeli authorities. Despite the Brotherhood’s growth and effectiveness in gathering support through its social services and activities, a certain amount of dissatisfaction continued because of its failure to engage in fighting the occupation. This dissatisfaction led to the creation of the Islamic Jihad movement which broke away from the Brotherhood in the early 1980s.

The Muslim Brotherhood and Islamic Jihad

Since the outbreak of the Palestinian uprising in December 1987, Palestine Islamic movement has sought to utilise the concept and technique of Jihad. Both Hamas¹⁸ and Islamic Jihad have done this in the political context of a mass civilian uprising against Israel. Jihad and Palestine are, however absent in account of the rich Islamic heritage and the special place it occupies in the accounts of the life of the Prophet, however, help explain how the Islamic movement has harnessed the notion

¹⁵ Ziad (1993), P. 13

¹⁶ Ze’ ev Schiff and Ehud Yaari (1989), *Intifada: the Palestinian uprising – Israel’s Third Front*, New York: Simon and Schuster, P: 224

¹⁷ Fahmi Huwaydi, “Hawl al-usuliyun fi al-ard al muhtalla” (About the Fundamentalists in the occupied territories) al-Ahram, 8 December 1987 [www.ahram.org.eg/weeklist/]

¹⁸ Hamas (Harakat al-Muqawama al-Islamiyya) was founded by Sheikh Ahmad Yassin and his followers in 1988 shortly after the outbreak of the uprising.

of Jihad and used it as a battle-cry to liberate the holy land from Israeli rule. The centrality of Jerusalem to the Islamic faith assumes importance in the context of a foreign occupation of holy land.¹⁹ This foreign occupation has involved the control of Islamic religious life: For example, preachers are holy site in Islam, the Harm al-Sharif in Jerusalem. Since the uprising, the abuse of religious rights by the occupying forces has provided justification for Jihad made by the Palestinian Islamic movement.

Since its founding in Egypt in 1928, the Muslim Brotherhood has sought to fuse religious revival with anti-imperialism resistance to foreign domination through the exultation of Islam.²⁰ At its beginning, the Brotherhood differed from earlier reformers by combining a profound Islamic ideology with modern grass roots political activism. The Brotherhood pursued an Islamic society through *tarbiyya* (preaching and educating) concentrating first on changing the outlook of individuals, then families, and finally societies. While Islamic Jihad has remained small and never commanded anywhere near the following of the Brotherhood it is important to dwell briefly on the movement and its position, because its positions encompass criticism leveled at the Brotherhood and which in fact were later addressed in the creation of Hamas – that is, the Brotherhood’s lack of commitment to all out struggle against Israel.²¹

The manner in which the Islamic Jihad views Jihad is reflected in the activities that the group has undertaken in the occupied territories. It is contended by many analysts that the approach of the group to this subject is rooted in several sources, including Shia Islamic thought,²² and the Egyptian Islamic Jihad movement (particularly the *Takfir wa-Hijra* group). Islamic Jihad cites all these sources as influential on their approach to Jihad, but as one of their most senior leaders, Shaikh Abd al-Aziz Odeh [Awad], declared: We consider Sayyad Qutb to be a genuine

¹⁹ This was also true during the Gulf crisis when foreign troops were stationed in Saudi Arabia on ‘holy soil’.

²⁰ Ibid, P: 108

²¹ See, Ziad (1993), P. 8

²² Ziad Abu, Amr contends that Shaiykh ‘133-al Din al-Qassam was the first symbol of Islamic Jihad Philosophy

representative of the Islamic revolutionary trend”.²³ In his books Qutb emphasis’s both striving by the sword and preaching for Jihad, However, he declared that any one who understood that particular chapter of the religion would also understand the place of *Jihad bi-al-sayf* (striving through the sword), which is to clear for striving through preaching in the application of the Islamic movement”. The imperative food waging Jihad is constantly emphasised by Qutb. Islamic Jihad in Palestine has remained committed to the revolutionary approach encouraged by Qutb²⁴. It is argued that while preaching has its place, Jihad bi-al-sayf is the only way for Palestinians to liberate themselves.

Ideologically, the Islamic Jihad shares with the Muslim Brotherhood the same basic precepts concerning the need for the establishment of an Islamic state and for the application of Islamic principles in an Islamic society. The chief difference between the two groups lies in the place of Palestine in their priorities and their means of action. All Islamic groups, not only in Palestine but throughout the Muslim world, consider Palestine in it’s entirety as Muslim land, no part of which can be ceded under any circumstances. The establishment of a Palestinian state in the West Bank and Gaza is therefore seen as sinful if it entails conceding the rest of Palestine to Israel, an illegitimate entity. For the Islamic groups, Palestine is not merely a Palestinian or an Arab problem but an Islamic problem for the entire Islamic nation; true Muslims are called upon to sacrifice lives and money to liberate every inch of the holy land.

Where the Islamic groups differ is on the centrality of the Palestine issue and the proper timing for liberating the country. For the Muslim Brotherhood, the first priority is the Islamic transformation of society, which it sees as a prerequisite to the liberation of Palestine. According to the Brotherhood, armed struggle (Jihad) cannot be undertaken until the society is a reformed and secular ideas are abandoned and Islam adopted. The Islamic Jihad, on the other hand, considers Palestine its central issue, and advocates armed struggle as its strategy for political action without waiting

²³ Interview with Shaikh ‘Abd al-Aziz Odeh – al – Fafr, 23 August 1987

²⁴ Edwards, B. Milton Beverly (1992), “The concept of Jihad and the Palestinian Islamic Movement: A comparison of ideas and techniques”, *Journal of Middle Eastern studies*, 19 (1):52

for the Islamisation of society.²⁵ The Islamic Jihad was more critical of the Brotherhood's failure to engage in armed struggle in that Jihad is one of the five pillars of Islamic doctrine. Brotherhood's reformist approach and traditionalist ideas and practices in favor of evolutionary action by an Islamic vanguard for the Islamic Jihad, the problems of Arab society cannot be solved by gradual measures or "true patching and reform" but by "decisiveness and revolution".²⁶

In a similar vein, Islamic Jihad objected to the Muslim Brotherhoods position of coexistence with the Arab regimes, especially those having strong ties with the West such as Saudi Arabia, Egypt, and Jordan. These it regarded as an "actual security belt for Israel," considering the Arab regimes and Israel as the two sides of the same coin, they are both the fruit of the western invasion of the Arab world.²⁷ Given these views, it is not surprising that another source of disagreement between the two groups emerged over the attitude toward the Islamic revolution in Iran, which the Brotherhood began to criticise after the Iran Iraq war broke out. The Jihad movement on the other hand, considered the Ayatollah Khomeini as an important source of ideological inspiration. Because of its focus on Palestine as a central issue, the Islamic Jihad shares a common objective with the PLO factions. Despite its Islamic approach to the achievement of this objective and its disapproval of the PLO's political program and diplomatic conduct as being incompatible with the "Islamic views of history" the Islamic jihad does not see itself as a rival or alternative to the PLO. The Brotherhood for its part, has accused the Jihad of being part of the al- Fateh movement, the "Islamic Fateh", and for concentrating on political matters at the expense of Islamic education.²⁸

Despite the challenge posed by the more radical Islamic Jihad and the nationalist forces – a challenge made stronger by the Islamic Jihad's launching of military operations in the mid – 1980s and even participation in certain joint actions

²⁵ See, Ziad (1993),P. 9

²⁶ Interview with shaykh 'Abd al-Aziz Auda, the spiritual leader of the Islamic Jihad Movement, Gaza, 24 March 1987

²⁷ See, Ziad (1993), P. 9

²⁸ Ibid

with al- Fateh against Israeli targets in the occupied territories,²⁹ the Brotherhood held firm in its refusal to engage in outward resistance to the occupation. However, the intifada changed the Hamas gradualist approach and soon turned it into a well organized resistance movement in the occupied territories.

Formation of Hamas

Hamas came into being officially on December 14, 1987, declaring itself in an official communiqué issued few days after the eruption of the first intifada, the Islamic Resistance Movement, (Hamas).³⁰ Sheikh Ahmad Yassin was born in 1938 in the village of al- Jourah near the coastal town of al- Maydel in what was then southern Palestine under the British Mandate. Al- Majdel is now the Israeli city of Ashkelon, but the prison is still referred to by its old Palestinian name. His father Abdullah died when he was just three year old, and he became known in the neighborhood as Ahmad Sa'adehh after his mother Sa'ada Al Habeel. This was to differentiate him from the children of his father's other three views. Sheikh Yassin had four brothers and two sister who with their mothers, fled their village to Gaza during the 1948 conflict and became refugees in Alshati camp beside the sea on the northern side of the Gaza city. The tented camp accommodated 23,000 refugees at that time all crammed into an area of just under one square kilometer.³¹

It was thirty-seven years before Yassin disclosed to his family the true story of the accident which changed his life in 1952. The reality was that he was injured wrestling with one of his friends. Yassin was seared to name the boy for fear that it would cause a rift between the two families so he concocted a story that his injuries were sustained playing leap frog during a sport lesson with his school friend on the beech.³² He had damaged his spinal chord, which caused severe paralysis to much of his body leaving him incapable of walking or even holding a pen or a pencil.

²⁹ Ibid, P-10

³⁰ See, Hroub, Khaled (2006), , P .12.

³¹ Ibid, P.(15-16)

³² Ibid

Although he applied to study At al-Azhar University in Cairo, he was unable to pursue his studies because of his deteriorating health. He was forced to study at home where he read wildly, especially on philosophical matters and on religion, politics, sociology and economies. His worldly understanding his followers believe, made him one of the best speakers in the Gaza strip, drawing large crowds at Friday prayers when he delivered his weekly sermon.³³

Sheikh Yassin's contribution to the growth of the Islamic movement in Palestine emerged out of his conviction that students must have an Islamic education and understand the meaning of Jihad. But he also knew the value of giving them a rounded education. I spoke too many from his generation including his brother Bader, who told Zaki Chehab in 1992 that the sheikh encouraged the youth to organise sports teams and participate in social and cultural functions in addition to their religious studies. Yassin had been active in Islamic politics in Gaza since the 1970, like many of Hamas early members he was influenced by the revolutionary ideas of Al Ikhwan Al Mirslimem the Muslim Brotherhood. At that time Gaza strip was under Egyptian authority, and the Brotherhood blamed its government for being passive towards the 'Zionists' and sided with the Palestinian in their war against Israel. The Brotherhood then adapted extremist tactics on its own soil in Egypt, which led to a temporary ban of the movement. A Muslim Brother was blamed for the assassination of the Prime Minister of Egypt, Mahmoud Fahmi Nok rashi in 1948; Al- Banna was subsequently killed by government agents in Cairo in February 1949. The Brotherhood was legalised again by the Egyptian government but only as a religious organisation. This state of affairs proved temporary as a result of the Egyptian Revolution of 1952.³⁴

After 1967, however, when Israel captured Gaza from Egypt, the Brotherhood's counter part in Palestine was becoming more active, spreading their ideology and working towards increasing their independent influence with Palestinian society. They set up charitable organisation and established religious schools and kindergartens which were normally attached to the mosques. The Brotherhood or

³³ Ibid, P.16

³⁴ A bloodless military coup detat which took place on 23 July 1952, in which the corrupt rule of king Farouk I was overthrown foreign him to abdicate in favor of his infant son

other Islamist groups sympathetic to them set up Islamic societies in Gaza, Hebron, Nablus and Jerusalem.

Following the ideas and teaching of the Brotherhood, Sheikh Yassin set up an Islamic Society in 1976 to promote Islamic values in Palestinian society. In 1978, he helped set up another organisation called the Islamic compound. As president of the organisation between 1973 and 1983 (he was succeeded on his imprisonment by one of his fellow Hamas founder, Dr Ibrahim Ali Yazuri), the first thing Yassin did was to register it with the Israeli authorities. A license was granted within two hours but barely on hour later, the Israelis came to Sheikh Yassin and withdrew their consent, claiming there had been a mistake. The mosque and its nursery were closed and they took Sheikh Ahmad Yassin and Haj Ahmad Dalloul, another member of the Committee, for questioning, accusing them of collecting donations without permission and setting up a foundation. The Israeli decision despite obvious second thoughts to grant the license to the Islamic compound in Tel Aviv was an indicator of what would become unannounced but official, Israeli policy. The Israeli government perceived its staunch enemy to be the nationalist and secular PLO and by allowing Islamist rivals to flourish, believed that opposing Palestinian groups would do its work on the ground in a way that did not necessitate active Israeli involvement.

During an interview in his office, Arafat, security advisor Mohammad Dahlan once said that Yitzhak Robin, Defense Minister in Yitzhak Shamir's coalition government, was questioned by members of the Knesset about his supposed support of Hamas by funding the Islamic compound and its activities. Robin's short answer was that it was a tactic to undermine the influence of the PLO. He was also apparently quizzed by another Knesset member about the possibility of Hamas working against Israel Robin's reply was "This issue can be discussed later".³⁵

The Islamic Compound's activities as defined by its license were supposed to focus on sports but, in practice, Yassin admitted, "We were spreading the message of Islam, memorising the *quran* and building, schools, and clinics". In 1983, Yassin and others leaders of his local organisation, the Islamic Compound, were looking for

³⁵ See, Chahab (2007),P.20

weapons to arm their military wing, the Mujahideen Palestine, which Yassin had established the previous year. This new territory for them vulnerable to the attentions of Israel's intelligence succeeded in infiltrating the Islamic compound and helpfully provided armaments (in other) worlds, conducted a sting operation). Sheikh Yassin, Dr. Ibrahim Al Muqadma, Abdul Rahman Tam raaz, Mohammad Chehab, Mohamed Arab Mahara and others were subsequently arrested for possession of weapons. This experience taught them that they needed to place things carefully if they had to develop a military wing when the social and political conditions were ripe for it.

The founder of Hamas later described to Zaki Chehab (the writer of inside Hamas and Journalist) in an interview the development of his movement in four clearly defined stages. The first phase was to build its institutions, charities and social committees which would open their to the young and old anyone who could play a role in resisting the occupier. This was a prelude to their confrontation with the Israeli enemy in the Intifada which, according to sheikh Yassin was instigated single – handedly by Hamas – without in involvement of other Palestinian factions. The second phase worked on strengthening the roots of the resistance with every household in the west bank and Gaza and to bolsdehiorts political credibility. The third stage developed its military capabilities from sedimentary stone – throwing and launching Molotov cocktails to using guns, hand grenades and other explosives.³⁶ Anything which would give the Israelis sleepless nights, 'he said'. The final stage was to see Hamas moving beyond the Palestinian dimension and establish a dialogue with its Arab and Islamic neighbors. Because he said, "our enemy needs confrontation from a stronger force and to have international backing is important for us", Yassin announced that the Palestinian cause' had gone beyond the slogans of the PLO', which reminded Arab and Islamic states that they should support the Palestinian cause, which cautioning them to leave the Palestinians to make their own decisions. While Arafat was adamant that they should remain independent of outside interference Hamas thought this policy foolhardy, arguing that the Palestinian cause is also on Arab and Islamic cause.

³⁶ Ibid, P.22

Despite claims to the contrary, the Intifada erupted spontaneously without any political decision by any organised group, and caught the Brotherhood, like the PLO, by surprise. On 8 December 1987, a motor accident in the Gaza strip involving an Israeli truck and small vehicles transporting Palestinian workers, several of whom were killed, triggered the riots that spread and evolved into what became known as the Intifada. The very next day, leading members of the Muslim Brotherhood in Gaza met to discuss way of utilising the event to stir up religious and nationalist sentiment and assure the spread of wide public demonstrations. The meeting was held at the house of Ahmad Yasin, the founder of the Islamic center and was attended by other prominent leaders of the center: Dr ‘Abd al-Aziz al-Rantisi, a physician residing in Khan Yunis; Dr Ibrahim al-Yazuri, pharmacist residing in Gaza city; sheikh Salih shinada (age 40), an instructor at the Islamic University residing in the town of Bayt Hanun, Isa al-Nashshar (age 35), an engineer in Rafah; Muhammad Shama (age 50), a teacher in al shati refuge camp; Abd al- Fattah Dukhan (age 50), a school principal at al-Nusayrat camp.³⁷ The group met regularly to develop contingency plans to deal with the fast – developing situations.

By the start of the Intifada, the various Islamist movements that went on to become Hamas had managed to establish themselves as a potent force in Palestinian politics, and one whose outlook and strategy differed in key ways from al- Fateh. But they lacked unity, let alone weapons. This was partly a reflection of the division of Palestinian society itself suddenly into violence on 8 December 1987. It provided the nascent Hamas with an impetus to focus more on their military direction.³⁸

On 14 December the Brotherhood leaders issued a statement calling on the people to stand up to the Israeli occupation Hamas retrospectively considered this its first serialised leaf let, though the new organisation did not identify itself as such until January Hamas”³⁹. Meanwhile Sheikh Yassin and his colleagues were in contact with their counter-parts in the west bank that same month January, 1988, Sheikh Yassin

³⁷ See,Ziad (1993), P. 10

³⁸See, Chehab, Zaki (2007), P.22

³⁹See, Ziad (1993), P. 10

assigned Sheikh Jamil Hamami, a Brotherhood activist in the west bank and one of the young preachers at Jerusalem's *al-Aqsa* mosque to establish with his colleagues a branch of Hamas there. Hamami thus became the liaison between Sheikh Yassin on the one hand and the Hamas command in the Kleist Bank and the Brotherhood command in Jordan on the other. It should be noted that last provided financial support for the intifada.⁴⁰

The establishment of Hamas, which means "zeal" in Arabic and is the acronym for *Harakat al-Muqawa al-Islamic* (the Islamic Resistance Movement) was not a clear – cut and immediately conscious decision, but evolved over time. The Brotherhood's response to the uprising was the subject of tensions within the organisation. The question of participation in the intifada was not merely one of young versus old; the new situations confronted the Brotherhood with a real ideological dilemma on the one hand, given the unprecedented events taking place in Palestine and the internal pressures within the movement, it would have been politically impossible for Yassin and the other leaders to allow the Brotherhood to remain on the sidelines, especially in the light of the Brotherhood's ongoing and bitter rivalry with PLO factions. It was not easy for the group to justify suddenly joining the intifada when its previous positions were well known; until the very eve of the uprising, Yassin and the other leaders had been arguing that the time had not yet come for the actual jihad.⁴¹

According to their oft-stated views, the Brotherhood was still in the phase of educating the Muslim generation in preparation for the restricting of the Muslim community; this in turn would be the prelude to the declaration of Jihad against Israel. Similarly, Yassin and his close associates in the brotherhood had to find a way to join the intifada without compromising the future of the movement they had built up with such pain staking efforts and personal sacrifice. (Yassin and a number of other having already served prison sentences.)⁴² It was sheikh Yassin's idea as a way out of these

⁴⁰ This information was part of Sheikh Yasin's confession to the Israeli investigators after his arrest in May 1989, al Bayareq, 25 December 1992, P.12

⁴¹ See, Ziad (1993), P. 11

⁴² Ibid

dilemmas, to create an ostensibly separate organisation out of the Muslim Brotherhood to take responsibility for its participation in the intifada. The calculation was probably that if the intifada failed the Brotherhood could disclaim Hamas and escape Israeli retribution for its participation, whereas if the intifada continued, the Brotherhood could derive benefit by claiming Hamas as its own. This is precisely what happened when the Hamas Charter was issued in August 1988 proclaiming Hamas as a wing of the Brotherhood⁴³. It means, the establishment of Hamas by the Brotherhood in the occupied territories was parallel to the founding of the United National Leadership of the uprising (UNLU) by the PLO factions, with serving to channel their respective bodies' resistance activities.⁴⁴

Hamas's active role in the Intifada and the growing awareness of its relationship to much needed because of the PLO campaign criticising it for its non participation in the armed struggle. Indeed, the Brotherhood began deliberately to equate the two organisations, and Yasin and his colleagues became more vocal and less circumspect in terms of their political visibility: Hamas soon became a credible and convenient name for a rehabilitated Muslim Brotherhood society, enabling the new organisation to attract followers and supporters who had not been members of the Brotherhood. Sooner than expected, Hamas appeared as a potent challenge to the secular nationalist forces represented by the PLO.

Hamas's Political Philosophy

Hamas's political philosophy, as presented to the outside world, and on the tensions inherent in it. Hamas's philosophy echoes key themes from Western political philosophy, such as the notions of will, social contract and representative authority, and that these notions have come to overlay Islamic traditions, changing how the latter are interpreted. The notions of popular sovereignty are counter-balanced by the notions of divine sovereignty but, importantly, not negated, except in those instances where a

⁴³ Hamas (the Islamic Resistance Movement) Charter 18 August 1998, article 2, P.5

⁴⁴ See, Ziad (1993), P. 11

revelation is highly specific, as in the *hudud*. This has important implications for the role of religion and religious authority in politics. Although the fact that Hamas' philosophy insists that popular mandate is more important than religious knowledge and reason is central to the process of legislation, suggests that the role of religion in politics may not be as is often assumed in Western discourse. But even this counter – balancing popular and divine sovereignty has parallels in the early modern law tradition in Western political philosophy.

Political theory informs both Hamas' utopian worldview, and its day-to-day decisions. What Hamas thinks to be the appropriate balance between religious authority and authority derived from elections (representative authority) affects how it criticises Fatah, how it interacts with Palestinian society, and what position it takes on the peace process. Since its electoral victories in 2004-06 at both municipal and national level, how Hamas thinks about politics has become of even greater significance as it is now in a position to directly influence legislation and policy-making.⁴⁵ Key questions include what constitutes legitimate authority for Hamas? How does it conceptualise the relationship between the state and the individual? What state structures flow from its conception of authority? What role do revelation, *shari'ah* law and religious authorities play?

Neither Hamas nor its ideology is static. Both are affected by changes in the wider political opportunity structure. At the same time, certain ideological commitments have remained the same. Political theory, or ideology more broadly, is malleable, but not infinitely so. Political entrepreneurs can re-interpret it, over time. But once formulated, it constrains what political entrepreneurs can do with it.

Although much has changed in the political opportunity structure in which Hamas operates, a number of fundamental aspects have remained the same. Hamas is still one of two dominant factions, dependent in part on wresting popular and electoral support from a secular al-Fatah with a reputation for corruption and autocratic behavior. Its constituency is still a mixture of members of the lower and middle classes, with a high percentage of university graduates amongst its leadership, both of

⁴⁵ See, Gunining (2007), P.56

which factors are likely to affect its approach to politics. Religion still plays an important role in its identity, just as it does in society more generally. So does Hamas' ability to perpetrate violence. Regionally, a number of Islamist organisations are still practicing electoral participation and, if anything, the rise of al-Qaeda-type splinter groups has pushed mainstream Islamist groups further into forging a synthesis between Islamist interpretations of Islam and democracy. It is thus not surprising that the rough outlines of Hamas' political theory have remained more or less the same – although the radically changed balance of power in Gaza since June 2007, and the loss of so many of Hamas' political founders to Israeli assassinations, may profoundly alter its future trajectory.⁴⁶

Hamas is not a monolithic organisation. Its constituency is relatively heterogeneous, with varying degrees of commitment to the project of creating an Islamic state, and varying interpretations of what this entails. Hamas' political theory, as presented to the outside world, and on the tensions inherent in it, Hamas' theory echoes key themes from Western political theory, such as the notions of popular will, social contract and representative authority, and that these notions have come to overlay Islamic traditions, changing how the latter are interpreted. The notion of popular sovereignty is counter-balanced by the notion of divine sovereignty but, importantly, not negated, except in those instances where revelation is highly specific, as in the *hudud*. This has important implications for the role of religion and religious authority in politics, although the fact that Hamas' theory insists that popular mandate is more important than religious knowledge and reason is central to the process of legislation, suggests that the role of religion in politics may not be as large as is often assumed in Western discourse. But even this counter-balancing of popular and divine sovereignty has parallels in the early modern natural law tradition in Western political philosophy, some significant differences notwithstanding.⁴⁷

One of the key differences between Western liberal models and Hamas' political theory is in the emphasis Hamas places on community and the state. Here,

⁴⁶ Ibid., P.56.

⁴⁷ Ibid., P.93.

Hamas' theory displays decidedly Hegelian elements, for instance, in the notions that freedom can only be found in the divinely-ordered state, and the individuals need to be socialised, through engagement in the community and the state, into becoming truly free citizens. This introduces a fundamental tension between two different conceptions of freedom and humanity's purpose on earth, a tension which we will find runs through much of Hamas' political practice.

Whether the above interpretation of Hamas' theory corresponds with the organisations' 'hidden transcript' cannot be stated with certainty, although analysis of the organisations' internal structure and political culture suggests that this theory plays an important role both in how members wish Hamas to be perceived, and in their internal practices. Analysis of Hamas' behavior in the domestic arena similarly suggests that the above theory informs much of how the organisation has sought to present itself towards the electorate. At the same time, as will become clear, significant tensions exist, not just within Hamas' political theory, but also between theory and practice.⁴⁸

Even if an alternative, 'hidden' discourse operates in parallel, the logic of the public discourse is likely to have influenced the way members see themselves and value certain practices over others. This is even more so for Hamas' non-affiliated supporters who are less likely to have access to this 'hidden' discourse. That all interviewees ranging from media-savvy leaders to media-shy supporters who had never been interviewed before, expressed roughly the same set of ideas suggests furthermore that this public discourse is pervasive within the organisation, or at least among its general support base.⁴⁹

If Hamas' theory is anything to go by, it values both 'religious' and representative authority. Of particular interest is how these two types of authority manifest themselves in practice, whether in the way Hamas leaders claim authority, in Hamas' approach to elections, or in its attitude towards the peace process. Of similar interest is what role violence plays in both the creation of authority and in its

⁴⁸ Ibid.

⁴⁹ Ibid.

maintenance, given that, in theory, and despite its prescriptive approach to freedom, Hamas condemns the use of violence to coerce people into obeying Islamic injunctions or submitting to illegitimate authority (although it does reserve a role for violence for upholding legitimate authority and, in extreme situations, for disposing of an illegitimate ruler).

An Islamic State in Palestine

The ultimate aim of Hamas is to liberate Palestine from occupation by the “Zionist enemy” and re-establish an Islamic state⁵⁰. Hamas’s aims is spelled out in the charter it issued on 18 August 1988, which contains the philosophy of the Movement, its rationale and its positions not on such central issue as the Palestine problem but also on social welfare and Palestinian nationalist movement.⁵¹

Hamas seeks the destruction of Israel and holy war or Jihad in order to establish Palestine as an Islamic state. It views Palestine as a religious trust or *waqf* that should remain under Muslim control for eternity (Article)⁵². A document of Article 36, that spelled out the movement Islamic orientation it showed its attitude towards Israel to be much more uncompromising than that of the PLO and the nationalist main stream. One theme of the charter is the centrality of Islam as a framework for all Palestinian nationalistic efforts, as expressed for examples in the declaration that “Hamas regards nationalism (Article 12) as part and parcel of religious faith and that since” Palestine is an Islamic waqf” throughout the generation until the pay of resurrection, no portion of it may be ceded to Jews or other non-Muslim”. A third theme is distrust of the Jews and their designs often expressed in anti-Semitic term that alleges the existence of a Jewish led international conspiracy. Another theme Hamas was rejected peaceful solution including international

⁵⁰ See, Nurse, Andrea (1998), P. 47

⁵¹ See, Ziad (1993), P. 12

⁵² See, Hamas charter (1988): The charter of Allah

conference (Article 13)⁵³. According of Hamas charter there is no solutions to the Palestinian problems without Jihad “When an enemy occupies some of the Muslim lands Jihad becomes obligatory on every Muslim” (Article 15). Therefore all peace initiatives areas” waste of time and acts of absurdity (Article 13)⁵⁴. Hamas protested against the peace conference that was held in Madrid in October 1991, Oslo peace accord Sep 1993, and continued to oppose Palestinian participation in the most of the Arab-Israeli negotiations calling for immediate withdrawal from these negotiations.

Goals of Hamas

Both the long-term goals and short-term objectives of Hamas were spelt out for the first time in its January 1988 Communiqué. Its short time objectives included the denial of the right of return, astronomical torus and other reprehensible occupation policies.⁵⁵ Hamas charter would reinforce these aims but would also keep the doors open for political activity⁵⁶.

In April 1994, the movement declared that it was not opposed to the principles of peace. In addition, it outlined a pragmatic policy position declaring its willingness to escape military operations in the West bank and Gaza, as long as the following conditions were met:

- Complete Israeli withdrawal from the occupied territories
- Disarming the settlers and dismantling the settlement
- Placing international force on the ‘Green Line’ established in the occupied territories during the 1948 and 1967 wars

⁵³ Shahukar Bahram (1999), *Hamas and Israel: Response and challenge (1988-1996)*, Phil Dissertation, New Delhi: Jawaharlal Nehru University

⁵⁴ See, Hamas charter (1988), Article 13

⁵⁵ See, Zachury hockman and Joel Bein (1990) eds, *Intifada: The Palestinian Uprising against Israeli occupation*, London:,IBTouris P.76

⁵⁶ Shahukar, Behram (1999), *Hamas and Israel Response and challenge (1988-1966)*, M. Phil dessertion New Delhi. J.N.U.

- Free and fair general election to determine free representation of the Palestinian people
- The council which will be composed of electoral victors, shall represent the Palestinian in any negotiations that determine their future and that of the occupied territories.⁵⁷

According to the Hamas charter “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,”⁵⁸ In 1993 it issued an ‘Introductory Memorandum’. Under the heading ‘The movement’s strategy’, it read.

The strategy adopted by Hamas to confront the Zionist occupation included the following:

- The Palestinian people, being the primary target of the occupation, bear the larger part of the burden in resisting it. Hamas, therefore, works to mobilise the energies of these people and to direct them toward steadfastness.
- The field of engagement with the enemy is Palestine, Arab and Islamic lands being a field of aid and support to our people especially those lands that have been enriched with the pure blood of [Islamic] martyrs throughout the ages.
- Confronting and resisting the enemy in Palestine must be continuous until victory and liberation. Holy struggles in the name of God as our guide, and fighting and inflicting harm on enemy troops and their instruments rank at the top of our means of resistance.
- Political activity, in our view, is one means of holy struggle against the Zionist enemy and aims to buttress the struggle and steadfastness of our people and to mobilise its energies and that of our Arab Islamic nation to render our cause victorious.⁵⁹

⁵⁷ Ibid, P.23

⁵⁸ Select document regarding Palestine, Hamas charter (1988): The charter of Allah, [www.thejerusalemfund.org]

⁵⁹ See, Haroub, Khaled (2006), P..23

In this strategy Hamas confirms the 'boundaries' of the armed conflict, stating clearly that it wishes to undertake no military steps outside Palestine 'the field of engagement with the enemy is Palestine'. Hamas reiterates this conviction in its strategy to assure the outside world that attacking any western or even Israeli targets outside Palestine is not on the agenda of the movement.

Organisation and Leadership

Although the Muslim Brotherhood has in theory maintained its internal organisational structure, and although Hamas, as a wing of the organisation in theory separate, in practice the two have become increasingly intertwined. It is thus that the division of labor within the leadership and rank-and-file levels is considered an "internal" affair.⁶⁰ The initial leadership of Hamas consisted of Sheikh Ahmad Yassin and the other six founding member. Later as the movement developed, leadership wing and committees were set up to take charge of political matters, security, military operations and the media even so Hamas, has remained relatively simple and lacks the complex bureaucracy of the PLO. Overall leadership of the movement is entrusted to a *majlis- shrua* (Consultative council)⁶¹ whose members live inside and outside the occupied territories. (See, Figure No.1)

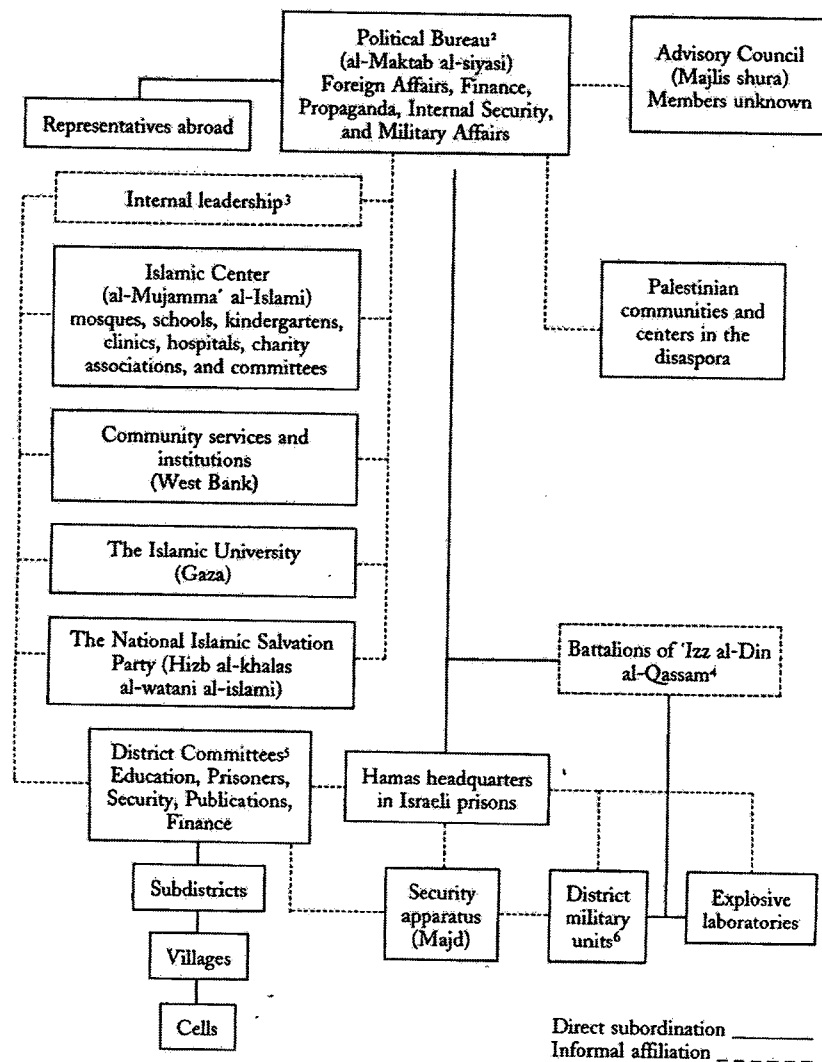
From the beginning, the leadership structure of Hamas is divided into parallel but straightly dissimilar parts, one inside Palestine and outside Palestine. The inside leadership has file of the movement via internal elections, a practice that is well established within Islamist movements that have a Muslim Brotherhood background and traditions. The 'outside' leadership evolved differently because Hamas understandably does not have the same sort of membership organisation outside Palestine that is has in the west bank and the Gaza strip. This outside Palestine leadership was originally formed in coordination with the inside Hamas primarily as a

⁶⁰ See, Ziad Abu-Amr (1993),P. 13

⁶¹ Ibid

back-up mechanism at the time the movement was formed in the later.⁶² It was plausibly thought that Hamas would need external support, financially and politically and this was to be the job of the outside leadership in exile

Figure No.1
(Hamas's Political Internal Structure)



(Source: See Mishal and Sela (2000), p. 173

⁶² See, Hroub, Khaled (2006), Hamas, P.117

The strictly disciplined membership of Hamas is drawn from across poor and middle-class Palestinian with a strong presence in refugee camps and most deprived areas. Many better of Palestinians too give their loyalty to Hamas in cities that are well known to be traditionally conservative such as Hebron and correct theme of city 'Nabulus'⁶³. Members of Hamas in local areas elect their representatives to the leading party body *Majlis- shura* (consultative council) which is charged with outlining the overall strategy of the Hamas movement. This council in turn chooses members of the smaller 'Political Bureau' of between 10 and 20 people who deal with daily affairs. The consultative council and the political Bureau establish specialised committees that look after various aspects of Hamas's activities: charitable and social, educational, membership, military, financial media and public relations, religious, women's and so on. There is considerable, if deliberate, vagueness on the exact chain of command and control between the top political leadership and the military wing Izzedin al-Qassam. For the security reason Hamas keep ample distance between the functioning of each of its branches and distance all of them from the military wing in particular.⁶⁴

Hamas's leadership is effectively divided between three geographical areas three west bank the Gaza strips (both inside Palestine) and exile communities, largely in Jordan, Lebanon and Syria (outside Palestine). It is matter of judgment which of the three enjoys more powers the opinion most powerful has strong grounds. In general the balance of power has always favored the inside leadership. After Hamas came to power in 2006, the inside leadership was strengthened even further. But while it is safe to say that the two branches inside leadership (in the West bank and the Gaza strip) control the muscles of the movement, the outside leadership controls financial resources and external contacts.⁶⁵

⁶³ Ibid, P. 118

⁶⁴ Ibid

⁶⁵ Ibid

Hamas Leaders

Throughout Hamas's lifetime, a number of names and faces have become familiar to outside world have become familiar to outside world as the main figures and spokes people for the movement. In addition to Sheikh Ahmad Yassin, a list below includes people whose influence and role are central in the formation of Hamas and its current politics. Yet before discussing these individuals it is worth mentioning that Hamas leaders (especially those who are inside Palestine) project an almost common profile.⁶⁶

The select list below includes leaders from all three geographical branches where Hamas leadership operates the West bank, Gaza strip and those in exile.

Abdul 'Aziz al-Rantisi (Gaza Branch): Born in 1947, al-Rantisi was considered to be the second in the leadership after Sheikh Ahmad Yassin the movement's long-time and spiritual leader. Al-Rantisi assumed leadership of Hamas in the Gaza strip in spring 2004 after the Israeli assassinated sheikh Yassin. Less than a month after that however, al Rantisi himself was assassinated. He was one of the founders of Hamas and a life long comrade of sheikh Yassin he held hard line views but never contradicted Yassin's more moderate outlook. Secular Palestinian politicians and intellectual were never impressed by his politics or discourse, however. He was perceived by them to be a master at packaging unrealistic demands in very powerful religious rhetoric.

Mahmoud al-Zahhar (Gaza Branch foreign minister in Hamas government): Born in 1945, al-Zahhar is a veteran Hamas figure who became the foreign minister in Hamas's government obtained a master's degree from Cairo, and then practiced as a doctor in the Gaza Strip. During his early youth, first in Gaza then in Egypt, al-Zahhar became an activist and the founder of several medical societies and co-founder of the Islamic University in Gaza.

Ismail Haniya (Gaza Branch prime minister in the Hamas government): Born in the **shati** refugee camp in Gaza in 1952, Haniya has grown up completely

⁶⁶ Ibid, P. 126

immersed in the misery of the Palestinians who lost their land and ended up in impoverished refugee camps. His family was displaced from Asqalan near Jaffa during the 1948 war. Haniya finished his university degree in Arabic language studies from the Islamic University in Gaza, where his leadership fortunes were shaped as a prominent figure among the Islamist students in the early 1980s.

With the formation of Hamas, Haniya was at the forefront as one of the youngest founding members. After the first intifada in 1987 he was arrested several times. Although Haniya was less visible to the outside world than the two above-mentioned senior members, he was no less significant. A well-known moderate voice within Hamas-Haniya amassed deep respect with the membership and great popularity within the broader Palestinian constituency. Sheikh Yassin the spiritual leaders of Hamas, appointed him as his first conflictant and aide and he remained close to Yasin until the latter's death.

Haniya is one of the most acknowledged moderate senior figures in Hamas. He was always the man who sought settlement between his group and its enemies. During periods of friction between Hamas and other Palestinian factions, Haniya has always been seen as a moderate who is trusted by all parties and able to pacify volatile situations. His calmness and popularity, modesty and moderation led of Hamas to charge him with the responsibility of leading its 2006 election campaign, which it won roundly.

Aziz Duwaik (West Bank Branch, speaker of the Palestinian Parliament): Born in 1948 in Hebron, the West Bank, into middle – class family, Du waik completed his high school in the city, and then obtained three master degrees in education and urban planning before he finished his PhD in urban planning, at the University of Pennsylvania. In his early years he joined the Muslim Brotherhood of Hamas, and became a prominent personality in the city of Hebron. He was deposited to south Lebanon in 1992 with other Hamas members for one year, where he became very well known as the English speaking spokesman for the 415 deportees. After his return to Hebron he distanced himself from political activities, immerging himself in

his academic professorship at al-Najah University where he established the Department of Geography.

Naser al-Sha'er (West Bank Branch, deputy prime minister and minister of education and higher education): Born in 1961 in Nablus in the west bank, al-sha'er is one of the new faces of Hamas who came to public notice at the formation of Hamas's government in 2006. He was an active member and leader of the Islamic bloc at al-Najha University in Nablus, before he left to study in the United Kingdom, where he finished his PhD in Middle East studies at Manchester University. Al Sha'er has accumulated experience not only in political activism but also in the academic field and research. In the late 1990s he embarked on a course on religion and democracy at New York University as a research scholar. Before joining the Hamas government he served as the dean of Islamic studies and law at al-Najah University for five years.

Khaled Mish'al (Exile branch head of the political bureau): Born in 1956 in the village of Sihwad near Ramallah in the west bank, Mish'al was displaced with his family to Kuwait after the war of 1967. He finished his studies in physics at the University of Kuwait, where he was an active leader of the Islamic bloc, which was the local manifestation of the Palestinian Muslim leadership circles of the newly established Hamas. Following the Iraqi invasion of Kuwait he and his family, along with thousands of previously displaced Palestinians, moved to Jordan where he started the activities of the Hamas until the Jordanian authorities came under the US and Israeli pressures to curb Islamists in 1999. Since then the official address of Mish'al has been Damascus, although he moves constantly between more than one country in the region including Lebanon, Qatar and Iran.⁶⁷

Mousa Abu Marzouq (Exile branch deputy chief of Hamas's political Bureau): Born in 1951 in the Rafan refugee camp in Gaza, his family was originally displaced from Yehna village near Majdal during the 1948 war. After finishing his high school in the Gaza strip he traveled to Cairo, where he obtained in 1976 a university degree in mechanical engineering, then moved to the United Arab Emirates

⁶⁷ See, Hroub (2006), P. 135

for work. In 1981 he moved to the United States to continue post graduate studies and remained there until he finished his Ph. D in 1992. Marzouq started his Islamist political activism in Egypt, the United Arab Emirates, and the United States. By the time of the eruption of the first intifada in 1987, he had become very active in supporting and speaking for Hamas.

Chapter-3

Hamas and Palestinian Elections

Hamas was established as a typical fundamentalist movement and by, definition, fundamentalists are fanatics. The Islamic charter of 1988, the founding document of the Hamas which calls for the destruction of Israel is essentially a fundamentalist document.¹ Originally started as a militant organisation, Hamas during the Palestinian parliamentary elections in 2006 emerged as leading political force. Hamas won a surprise victory in the Palestinian parliamentary election on 25 January 2006 and won 76 seats out of 132 seats. Hamas has given numerous indications that, in practice, it has ceased to be a fanatic and a fundamentalist organisation. It has demonstrated willingness to change its position on some issues and even to take public stands in contradiction of its Islamic Charter. This does not mean that Hamas has become a moderate force. It has not revoked the Islamic Charter of which central goals are liberation of Palestine and the destruction of Israel with Islamic resistance.

Palestinian Elections (1996-2006): An Overview

From its inception, Hamas has participated in electoral politics. Its predecessor, the Palestinian Muslim Brotherhood, took part in active elections in 1950s.² When the Brotherhood re-emerged in the 1970s, it re-entered the electoral fray when it believed itself sufficiently strong to contest the other political factions in professional and student's union elections. Hamas inherited the Brotherhoods, political network and built on it. By 1992, it had become a significant threat to Fatah's dominance across the territories, winning a number of significant victories in professional and student union election, including those that had hitherto been Fatah stronghold.³ Hamas continued to succeed in defeating Fatah in key student and professional elections for much of the 1990s, winning, for instance, all elections between 1996-2006 at the key universities of al-Najah (Nablus, Hebron and the Islamic University Gaza) But even at the secular stronghold to Birzeit- Hamas lost

¹ Klein Menachen (2007), "Hamas in Power", *Middle East Journal*, 61 (3): 442.

² See, Mishal, Shaul and Avraham Sela (2000), P. 90.

³ See, Mishal, & Sela (2000), P. 90.

only three times to Fatah during this period. By the time the municipal and legislative elections were held in 1996-2006, Hamas could build on twenty years of electoral experience and a decade of executive experience (longer in Gaza), including working in coalition with other political factions.⁴

Prior to October 2000, support for Hamas and Islamic Jihad reached a nadir in 1996. When popular support for the two Islamic groups dropped to a mere 10 percent after their boycott of the legislative and presidential elections, their support climbed to 15.5 percent by April 2000 and to 19 percent by early, September 2000, six weeks after the challenge of the Camp David talks. Support for the two Islamic groups, especially Hamas (support for Islamic Jihad remained steady at about 3 per cent), was consolidated during the second intifada, with the Islamists consistently commanding the support of at least a quarter of the population; during the later period of the uprising their support even equaled that of Fatah.⁵

Support for Fatah was highest in 1995 and 1996 and following the general elections of January 1996. At that time, Israeli military withdrawal from towns and villages was taking place, the Oslo accords seemed to be producing results, and an independent Palestinian state seemed likely. However, support for Fatah began to slide soon after, to reach around 37 percent in April, 2000, declining further to 29.5 percent in November of the same year (a month after the start of the second intifada). It reached a low of 25 percent during 2003 and continued at this level for most of the 2004.⁶

Support for Fatah rose again in late 2004, a reaction, perhaps, to Israeli's tightening siege on Yassir Arafat and his defiance of Israeli and American pressures and to his ambiguous illness and death. By mid 2005, Fatah's support stood at 44 per cent, its clear lead over Hamas. Beyond the impact of Arafat's death, this rise in support for Fatah reflected the smooth presidential elections (boycotted by Hamas) 1 January 2005 and the general feeling that the new president, Mahmud Abbas (Abu

⁴ See, Gunning, Jeroin (2007), P. 144.

⁵ Ibid, P. 7.

⁶ A June 2004 poll by the Jerusalem Media and Communication Center (JMCC), JMCC poll n. 51 had 22 per cent, and Islamic Jihad's, at 5 per cent. The share of those who did not trust any.

Mazin), with his program to activate the political negotiations with Israel, was the most likely Person to secure positive political and economic results. Fatah was also helped by the March 2005 agreement signed by all Palestinian factions to implement a “calming down of the situation” (*tahdia*) by ceasing military operations against Israel and to hold legislative elections throughout the West Bank and Gaza Strip. However, the hopes vested in Abu Mazin’s elections and the *tahdia*’s were soon dissipated by Israel’s continuing assassinations, its ongoing construction of the separation wall, and the persisting draconian restrictions on the movement of goods and people in and out of the WBG’s. Meanwhile, U.S. policy toward the Palestinians showed no perceptible change. All of these factors led to reduced levels of support for Fatah⁷, which was seen as indistinguishable from the Palestinian Authority (PA).⁸

After Presidential elections in 2005, the general decline in Fatah’s popular support and the increase in support for Hamas may be attributed in large measure to the political impasse faced by the Palestinian national project with the collapse of the Camp David⁹ final status negotiations in July 2000 and to the growing dissatisfaction with the performance of the Fatah-dominated PA, seen as corrupt and inept at a time when unemployment and poverty rates were skyrocketing after the start of the second intifada. Hamas was able to build support on these factors, as well as on the growing hardships and humiliation inflicted on the Palestinians by Israel. Hamas have cased these factors and dropped the boycotted policy in elections; Hamas participated in legislative elections in 2006, based on change and reforms. Hamas won surprised victory and formulated government in the Palestinian territories.

⁷ See, Hilal, Tamil (2006), P.8.

⁸ Ibid.

⁹ Camp David accord signed by Egyptian President Anwar El Sadat and Israeli Prime Minister Menachem Begin on September 17, 1978, following twelve days of secret negotiations at Camp David. The two agreements were signed at the White House, and were witnessed by United States President Jimmy Carter. The Accords led directly to the 1979 Israel-Egypt Peace Treaty. They also resulted in Sadat and Begin sharing the 1978 Nobel Peace Prize.

Palestinian Municipal Elections (2004-2005)

The Palestinian Municipal elections were held on 2004- 2005. The radical Islamic movement, Hamas claimed victory in municipal elections in the Gaza Strip winning 7 out of the 10 municipals councils. A victory for Hamas would be seen as a blow to elected Palestinian Authority President Mahmud Abbas and could power – sharing dealing with Abbas’s Fatah Party.¹⁰ The Palestinian first phase municipals elections were held in two stages: A first election took place on 23rd December 2004: it involved 26 West bank municipalities. A second election took place on 27th January 2005 for Gaza Strip municipalities.¹¹ It should be noted that this first elections took place, 40 days after the death of the President Yasser Arafat and a month before the presidential elections of 9th January 2005.

Hamas won in the first phase of municipal elections, along with the ext results, race, cast a shadow over predictions in the upcoming legislative. With an 81 percent vote’s turnout in the first phase of the elections, Hamas won 77 of 118 municipal seats in the Gaza Strip, against Fatah. In the West Bank, Hamas won 109 of the total 306 seats, while Fatah secured 136 seats.¹² Hamas, 2001 -5 electoral campaigns can be read in different way. Three observations, however, are particularly note worthy for analysis. Hamas, campaign strategy suggests that it is acutely aware of what constitutes power within an electoral system and that more than Fatah; it recognizes that in such a system, power is fundamentally linked to gaining and maintaining votes. Secondly, echoing Hamas’ internal practices and political theory grassroots consultations and heading public opinion played a central victory. And thirdly Hamas elections result suggests that it is stronger in urban areas, with important implications for its attitude towards religion and democracy.¹³

¹⁰ “Middle East: Hams claims Victory in Municipal Election in the Gaza Strip” (2005) *Radio Free Europe Radio Liberty, RFERL* 20 January: 1, <http://www.referl.org/articleprinview/1057145.html>.

¹¹ Balauri, Hassan (2006), “*Palestinian Municipal Elections: A Gradual Change*”, P.1. [Online: Web], URL: [http://www.iemed.org/anuari/2006/article/a Balawi.pdf](http://www.iemed.org/anuari/2006/article/a%20Balawi.pdf).

¹² Assad, Samar (2005), “*Palestinian Municipal and University Elections: The Political Indicators information Brief No. 116 (5 May 2005)*.” [Online: Web] Accessed 17 February, 2009 URL: <http://www.theJerusalemfund.org/ht/display/content/Details/i/2193/display/type/raw>.

¹³ See, Gunning (2007), P.146.

The West Bank

On 5 May 2005, some 320, 000 Palestinians (around 80% of the electoral) went to the polls in 82 constituencies across the West Bank and Gaza. Observers had two questions in their minds. Would these local elections serve as a dress rehearsal for the PA's parliamentary elections in July? And would Fatah recover from the drubbing it had received from Hamas, particularly in Gaza, in the first round of local elections in December and January?¹⁴

On paper Fatah recovered. In preliminary result released by the Higher Elections Committee (HEC) on 9 May Fatah lists appeared to win control of around 50 municipalities, as against Hamas' 30. One reason was better candidates. This was particularly so in rural West Bank, localities like split, where the Fatah list was made up of entirely new people unassociated with the previous appointed council and known locally for professional loyalty. In a touch with a 4,500 electorate, Fatah won 13 of the 15 council seats, as against Hamas, 2 seats.¹⁵

Fatah also formed effective alliances, particularly among the tribes and families that dominate local polities in rural areas. In Jiftlik village in the pit of the Jordan Valley, whose electorate is "97% Fatah", in the opinion of former village head dispersed its support among the four main village families and returned nine "independents".

But these victories serve to highlight the problem. Fatah's base now in the West Bank is small clan-ruled localities with fewer than 5,000 voters: It has become a movement of social conservatism. The flipside is that the larger the constituency, the more urban, educated and younger its electorate and the more it and they have suffered from the occupations and PA misrule, the better Hamas performs.

Take Qalqiliya, a town of 40,000 that in the last three years has seen 83% of its municipal land lost or isolated by the Wall. In a truly stunning result there Hamas

¹⁴ See, *Middle East International*, 13 May 2005, P. 10.

¹⁵ Ibid.

candidates won all 15 seats on the town council¹⁶ its young and able mayor, Maruf Zahran with a Hamas prisoner. Has this protest against Wall or an expression of support for armed resistance? Neither, says Zahran “The people have punished Fatah because of the lack of reforms. This was a vote of protest against the Palestinian leadership.”¹⁷

The local Fatah leadership agreed, resigning en masse once the scale of the defeat was known. Similar resignations followed similar outcomes in the Hebron district and in Bethlehem, where rival Fatah lists won four of the eight allotted Christian seats against Hamas ‘winning five of the seven Muslim seats.

Gaza Strip

In Gaza Strip Hamas emerged as winning with an estimated 70% of the vote and 77 seats out of 118. The Rafah result in particular was a political earthquake, since Fatah and the PA had invested enormous resources in keeping what was one seen as a cast-iron nationalist stronghold as well as perhaps the most lethal front line in the struggle against Israel. Hamas won ten seats to Fatah’s five.¹⁸

Claiming fraud, Fatah, gunmen took to streets, clashing with their Islamist victors and wounding nine. On 8 May a group of armed and masked Aqsa Martyrs Brigade guerrillas forced the closure of Central Election Commission (CEC) offices in Central Gaza in the mistaken belief that the CEC was responsible for the local elections (it is the HEC that claims that right).¹⁹

Fatah’s allegation was that the HEC had somehow allowed Hamas supporters to vote twice or use names of those “martyred “in the struggle. The most appropriate answer came from the Palestine Human Rights Centre, a local election monitor in Gaza. It said that, while there were “many violations” during the elections campaign,

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ See. MIE, P.11.

¹⁹ Ibid.

especially the use of Mosques by Hamas and PA security personnel by Fatah,²⁰ “these did not damage the essence of the electoral process, nor did they affect the result,” particularly in Refah and Buraji, where Hamas won a verdict shared by the dozens of the international observers in Gaza.

Perhaps the most scathing assessment of the rigging claim came from *Talal Awkal*, once a leader in the PFLP, now a columnist on the Palestinian newspaper *al-Ayyam*. “It is universally accepted” “he wrote on 9 may, “that the opposition often accuses the regime of fraud during elections.²¹ But it is surely unique for the government to accuse the opposition of fraud. Apparently, Fatah has, not learned the lessons of its previous mistake.

Palestinian Municipal Elections: An Analysis

The local elections of Palestine state, the results of which represent a landslide victory by Hamas in all of the major cities in the West Bank (with the exception of Ramallah) indicate the depth of the socio-political transformation that have taken place in Palestinian society. How can we explain these developments and what are the factors behind them?

One of the basic factors behind the political shift in the Palestinian Street towards the Hamas movement is due to the ongoing state of frustration with the political process. After 10 years of the Oslo Accords, the Palestinian street has become convinced that the “peace process” led by the Palestinian Authority and its party, the Fatah movement came at the expense of national interest and rights. Indeed, they only resulted in the continuation and deepening within Palestinian society of difficult political, economic and social realities. In the light of these sentiments, and despite the success of Israel and the United in describing the forces of the Palestinian resistance “terrorist organizations”,²² the Palestinian street remains indifferent to how

²⁰ Ibid.

²¹ Ibid.

²² Ibrahim, Nassar (2005), “*Palestinian Municipal Elections*”, [Online: Web] Accessed – 7 May 2009 URL: <http://www.alterinter.org/article85.html>.

outsiders might characterize the move towards Hamas. The central question in the Palestinian mind remains: What were the results of the Oslo other than more sieges, subjugation, settlement construction and the harming of national rights?

Another important factor in these elections is the current state of disintegration and confusion in the Fatah movement. Despite the negative indicators and results revealed of local elections, the movement would not solve its internal problems before the Hamas movement was able to gain power in those areas where Fatah once enjoyed.

It was obvious during these elections that the Fatah movement was suffering, from a deep structural crisis. The features of this crisis began to emerge directly after the siege of the late President Arafat in the district building of Ramallah. To make matters worse, the leading institutions of the movement (the central committee and Revolutionary Council) did not deal seriously with this crisis. As a result, the crisis deepened substantially, further exacerbating the divisions within the leadership and creating discord among Fatah's followers. The most compelling evidence for the depth of this crisis was that Fatah movement was going to the legislative council elections with two lists headed by Marwan al Bargh Quthi, who remains in Israeli prison. This crisis within Fatah and its inability to decisively address its serious challenges have pushed the movement into the cycles of violence hesitation and disintegration. The primary elections in the Fatah movement, held without properly organizing the movements, structure, further perpetuated the crisis. As a result, the structures of the movement and its organizational framework were transformed into an arena of confrontation an absurd line-up process and an environment to settlement to settle accounts among the different centres of power.

In this situation, Fatah did not properly evaluate the political experiences since Oslo and therefore failed to develop a consistent plan in their dealings with American-Israeli pressures. This crisis was depended by the absence of security, the continuation of the centres of corruption and a general lack of accountability.

The third factors which played a role in defining the results of the local elections was the splintering of the forces of the democratic current and their inability

to unify their ranks. Instead, most factions joined the Fatah movement (Fida, the people's party and the Democratic Front) and in doing so they lost their colour and credibility.

Palestinian General Election (1996)

On 20 January 1996, the first Palestinian general elections were held within the territories of the Palestinian National Authority (PNA). Earlier elections had been conducted in a number of the cities in the West Bank in 1972 and 1976, with Israel's consent, as a goodwill gesture. Those elections had led to the building of the Palestinian national movement when some of the elected mayors had declared their loyalty to the Palestinian Liberation Organization (PLO).²³ They also had increased the politicization of the Palestinians in the territories occupied by Israel in 1967, and contributed indirectly to preparing the ground for the Intifada, the Oslo accords and the general elections of 1996.

From the time of the announcement of the agreement between the representatives of Israel and the PLO, in August 1993, and the decision to conduct elections in the Occupied Territories as part of the Oslo accords,²⁴ the Palestinians as well as the international community began debating two central questions.

- Would these elections lead to the emancipation of the Palestinians of the West Bank and the Gaza strip from Israeli government, and the establishment of an autonomous Palestinian National entity?
- Would these elections lead to the building of a democratic political entity?

Mostly Palestinian peoples supported the elections of 1996, which they viewed as preparing the ground for a transitional period during which the final status of the occupied Territories would be determined. Elections were considered

²³ Ghanem, As'ad (1996), "Founding Elections in a Transitional Period: The first Palestinian General Elections", *Middle East Journal*, 50 (4): 5-13.

²⁴ Shehadi, Raja (1994), *The Declaration of Principles and the Legal system in the West Bank, Jerusalem: Palestinian Academy for international affairs*, P. 41.

appropriate means of choosing the participants for the final status negotiations with Israel and as the way to set up a democratic political system that would be different from the systems in the surrounding Arab countries. The PLD leadership also saw these elections as an opportunity to demonstrate its strong commitment to the democratic process. It did not want to be perceived as holding on the reins of power after moving to the Occupied Territories from Tunis, but wished instead to be chosen directly and democratically by Palestinians dwelling in the West Bank and Gaza strip.²⁵ New PLO leadership hoped that the newly acquired legitimacy would separate would give greater weight to demands for Israel's evacuation from all of the West Bank and the Gaza Strip, and for the establishment of an independent Palestinian state. From its perspective, therefore, the elections were an important step towards the building of a Palestinian state. However Palestinian critics of the Oslo accords argued that these accords did not offer the Palestinians what they had long struggled for, namely, independence and the establishment of a state alongside Israel. They also maintained that the elections gave the Palestinian entity its final shape with the elected institutions possessing sovereignty only very areas evacuated by Israel, leaving large Palestinian population centres under the Israeli rule.

To sum up it, those who supported the elections believed they would lead to the formation of a democratic regime and a pluralistic political system in the territories. Those who opposed, or had reservations about the peace process, looked at the elections as a game, manipulated by Israel and the institutionalized Palestinian leadership, that would only serve the interests of a small oligarchy within the PLO. Israeli government supported these elections because, Israel was interested in the formation of an elected body that would constitute an alternative to the Palestinian National Council (PNC), and be controlled institution could act as a counter weight to the PNC, where Palestinian opposition to the peace negotiations was relatively strong.²⁶ The elections would legitimize the power of this group, which would then establish an authoritarian regime prepared to use any means to maintain its power.

²⁵ See, Ghanem, As'ad (1996), P. 54.

²⁶ Hamid, Abdul(1995), Legal Aspects of Palestinian Elections, Jerusalem: Israeli-Palestinian Center for Research and Information, PP. 6-13.

Principles of the Elections

The legitimacy of the general elections in the West Bank and the Gaza strip derives from the Declarations of Principles (DOP) concluded in Oslo between Israel and the PLO, and signed at the White House in September 1993, and from the Interim Palestinian-Israeli Agreement concerning the West Bank and the Gaza Strip,²⁷ signed in September 28, 1995 (Taba accord or Oslo2),²⁸ in Washington, D.C. Article II of the DOP defined three guiding principles for these elections:

- In order to enable the Palestinian people in the West Bank and the Gaza strip to govern themselves in keeping with democratic principles, general, direct and free political elections will be held for the council, under agreed-upon international supervision, the Palestinian police will care for public order.
- The Parties will reach an agreement upon the definite form of the elections and its conditions in order to hold the elections within a period which shall not be more than nine months after the agreement on Principles goes into effect.
- These elections will be an important preparatory step towards the attainment of the legitimate rights of the Palestinian people and its just demands.²⁹

The Interim agreement was formulated in keeping with the basic tenets of democratic elections in the liberal, Western tradition. It guaranteed free, direct and general elections of Palestinian representatives with whom Israel would later conduct further peace negotiations. A maximum period within which the elections were to be held was also set out in the agreement, to assuage Palestinian fears that Israel might seek to draw out the electoral timetable. The agreement also declared that the elections were not end of the process but a testimony to the beginning of new era, in which the Palestinian people would be able to “fulfill its legitimate rights”³⁰

²⁷ See, Ghanem (1996), P. 514.

²⁸ See, Mishal Shaul and Abraham Sela (2001), P. 131.

²⁹ MET (1993), “The Declaration of Principles”, Middle East Times, 1 (3): 17.

³⁰ See Ghanem (1996), P. 516.

On the issue of the Palestinian inhabitants of Jerusalem, the interim agreement stated “Palestinians of Jerusalem who live there may participate in the elections process in accordance with the provisions contained in this article and in Article VI of Appendix II (Elections arrangements concerning Jerusalem). The appendix also mentioned that the rules and orders concerning the elections would be agreed upon by the parties concerned³¹.

The Electoral Process

In accordance with the Interim agreement and the electoral law, elections for the president of the PNA were to be held simultaneously with those for the members of the Palestinian Assembly, using separate ballots. The official date of the elections was announced by the chairman of the PNA council in a formal order that included the official appointment of the members of the electoral supervisory committee and of the appeals committee. The dates to begin the preparations for the voters roll and the present the candidates for the elections were also announced at that time.

For the purpose of the electing the president of the PNA, the West Bank (including Jerusalem) and the Gaza strip were considered one electoral district, while for the purpose of electing the Assembly the West Bank, and the Gaza strip were divided into 16 electoral districts, Each district was then allotted a number of representatives in proportion to the number of inhabitants who could vote.³² (See Table No-1)

Participation in the elections was open to all Palestinians, 18 years of age and above who lived in their electoral district and whose names were on the voters’ rolls. The exception was citizens who had been deprived of their right to vote by court order or had been deprived of their right to vote by court order or had been imprisoned for a crime or for harming public order candidacy for membership in the Assembly was open to every Palestinian who was 30 years of age or older on election day, and who complied with the other conditions applicable to voters.

³¹ Ibid.....

³² See, Ghanem (1996), P. 517.

Table No.1***(Election Districts and Number of Seats in Assembly)***

District	Seats in Assembly	No of Voters	No of voters Per seat
1. Bethlehem	4	55, 134	13, 784
2. Hebron	10	133, 084	13, 308
3. Janin	6	82, 314	13, 719
4. Jericho	1	12, 906	12, 906
5. Jerusalem	7	80, 051	11, 436
6. Nablus	8	111, 651	13, 956
7. Kalkilyya	2	27, 278	13, 633
8. Ramallah	7	79, 108	11, 301
9. Salfit	1	18, 996	18, 996
10. Tabas	1	15, 914	15, 914
11. Tulkarim	4	56, 319	14, 080
12. Northern Gaza	7	61, 123	8, 732
13. Gaza-city	12	122, 724	10, 227
14. Dayr al-Balah	5	56, 015	11, 203
15. Khan Yunis	8	71, 629	8, 954
16. Rafah	5	44, 034	8, 807
Total	88	1, 028, 280	Average 11, 685

(Source: *Al Nas wal- Imikhabat (Ramallah)*, 20 January 1996 p. 15)

The elections committee announced the opening of voter registration about two months before the elections and concluded the registration about a month before them. The number of voters whose names were elections totalled 10, 28, 280. The registration of voters was conducted by officials appointed by the election committee

for this task. Generally the registration officials were members of the educational system who collected the registration forms by giving from house to house.³³

There were two candidates for the position of president of the PNA. Arafat, the representative of the Fatah Party, and Samiha Khalil, an independent candidate Khalil an inhabitant of the small city of Al- Bira near Jerusalem, had been active in the Palestinian women's movement since the 19960s. The 88 Assembly seats were sought by 725 candidates, or 8.7 contestants for every seat of the 725 candidates, 559³⁴ were independent candidates who ran on the basis of their previous activities, personal wealth or their relationship to one of the larger clans in a specific district.

According to the interim agreement, the elections were open to international supervision. In addition to the central election committee and local observers appointed to watch over the elections, international observers were stationed throughout the west bank and the Gaza strip.³⁵ More than 1, 500 international observers including official and non government organizations took part in the supervision of the first Palestinian elections. The official delegations included 650 observers representing the European United Electoral Unit, Australia, Canada, China, Cyprus, Egypt, Jordan, Korea, Malta, Norway, Russia, Switzerland, Turkey the Organization of African Unity, the Organization Of The Islamic Conference (OIC) and the Non Aligned Movement.³⁶

Hamas Response

Hamas officially boycotted the 1996 Palestinian general elections because these elections were based on the Oslo peace accords. Hamas rejected to the Oslo Peace. Accords because it totally failed on Palestinian rights and statehood question.

³³ Ibid, P. 519.

³⁴ Ibid, P. 520.

³⁵ Ibid, P. 523.

³⁶ An doni, Lamis (1996), "The Palestinian Elections: Moving toward democracy or One-Party Rule?", *Journal of Palestine studies, XXV (3): 9.*

Hamas's position was tightly linked to two overriding questions:

- The PA's political program that was the grand policy with which Hamas would be identified by participating in the elections that were bound to legitimize the PA and implicitly the DOP.
- Hamas's prospects of playing a significant political role in the PA. Hamas had been a fierce critic of the DOP and the elections, which it had urged the Palestinian public to boycott.³⁷
- Hamas's first decision regarding the anticipated elections was apparently made on September 9. A year later, with Israeli-Palestinian negotiations progressing slowly, Hamas's leader reaffirmed their previous decisions. Their explanation was an essentially pragmatic one: the movement ruled out participation because the elections were bound to be part of a "humiliating and shameful agreement" and because it was assumed that they would be held under Israeli domination.³⁸

Hamas as an ideological opposition movement distinguished itself by its adherence to the Palestinians basic right (*thawabit*) could not have it both ways and participate in elections that were broadly perceived as a vote of faith in the Oslo accords. Thus, in spite of internal debate, the political leadership remained opposed to participation. There were, indeed, some practical considerations that Hamas could not escape. First, despite the intention to hold the elections under international supervision, it was doubtful that Hamas would succeed winning against Chairman Arafat given his internal popularity and extended backing. Hamas's and other opposition leaders realized that Arafat had stacked the deck against them by adopting a majoritarian method, rather than proportional representation which would effectively strengthen Fatah as the ruling party at the expense of other popular political forces.³⁹ Second, even if the elections were relatively fair Hamas had to calculate the potential scope of its success-in the case of both participation and

³⁷ See, Mishal and Sela (2000), P. 13.

³⁸ Ibid, P. 132.

³⁹ Graham, Usher (1995), "Arafat opening", *New statement and society* 8 (82): 25.

boycott – and the results of each choice. According to a poll conducted in May 1995 by the Palestinian Research Center in Nablus only 28 percent of the West Bank and Gaza strip resident believed that the elections for the PA Council would be fair. At the same time, 20 percent were willing to boycott the elections if the opposition’s organizations called for that. Only 50 percent of the participants said that they felt free to criticize the PA. According to the poll Hamas had only 12 of the population’s support.⁴⁰

Generally, the advantages and disadvantages were divided along regional lines. Due to the PA’s tighter control in the Gaza, Hamas leaders were relatively more inclined to participate in the elections than were their colleagues in the west bank. It was this same Gaza strip leadership that had pressured the “outside” leadership to consider establishing an Islamic political movement like those in the neighboring Arab states, an issue that became an inseparable part of the debate over Hamas’s participation in the elections and its relations with the PA. The Gaza leaders of Hamas also revealed a willingness to enter into negotiations with the PA over this issue, even without the consent of the “outside leadership”.

In addition to the regional division, difference within Hamas apparently derived from socio economic disparities as well. In the Hamas PA- meeting in Khartown in November 1995, the Hamas delegates all from the autonomous Palestinian area-were not prominent political leaders in the movement but members from a wealthy group of merchants in the movement.⁴¹ They supported participation in the elections, contrary to the view of many leading Hamas figures, especially outside the autonomous territory, as well as among the rank and file, who maintained a militant approach toward Israel and identified the elections with the Oslo accords.⁴² It was from this reservoir that *Izz al-Din al-Qassam*, the military wing of Hamas, drew most of its recruits.

⁴⁰ See Ha’aretz, June 2, 1995.

⁴¹ See, Mishal and Sela (200), P. 134.

⁴² See, *Jerusalem Times*, October 27, 1995, PP. 17-19.

Hamas's dialogue with the PA did not induce the movement to change its essentially negative position on the elections, although it tempered it somewhat. At the PA's behest, Hamas agreed to do no more than passively boycott the elections and not to interfere with the Palestinian public's freedom to decide. In late October 1995 following the release of Hamas prisoners by the PA, Imad Faluji editor in chief of the Hamas organ *al-Watan* and a leading support of Hamas's participation in the elections, explained that the movement's eventual decision would depend on certain assurances:

Hamas's decision not to participate officially in the elections remained unchanged in the talks held in Cairo on December 18-20, 1995, between its delegates and the PA's representatives. The main issues on the agenda were Hamas's participation in the elections and the PA's demand that Hamas should cease its military operations against Israel. On the issue of elections PA urged Hamas to stop playing a negative role and to participate, at least in East Jerusalem, in order to bolster the Palestinians position in their negotiations with Israel over the final status of the city due to begin in May 1996. Hamas, however, refused to perceive Jerusalem as an exception and stuck to its boycott of the elections as whole. On the issue of armed struggle against Israel Hamas refused to half its attacks against Israel completely, but it did agree to stop its violent attacks on Israel from the areas under the PA's control.⁴³

Within the framework of a passive boycott of the elections, Hamas encouraged persons identified as Islamists, or even as its own members, to run as independents. Informally Hamas also called on its followers to exercise their right to vote for Islamic candidates who had been associated or maintained good relations with the movement.⁴⁴ This move represented a realistic approach that recognized the strong public excitement about exercising this unprecedented civic right. Indeed, if Hamas called for a boycott and people voted anyway, it would lose its credibility.

⁴³ Ibid, P. 135.

⁴⁴ Ibid.

The Elections Results

Two notable features of the elections results were the proportions of the total electorate that participated and the distribution of the votes. The rate of participation in the elections 75.86 per cent of all those eligible to vote is high in comparison to the turnout in western democracies, where participation is generally between 50-60 percent, but is slightly lower than in Israel, where, for instance, 78 percent participated in the 1992 elections. In Israel's first elections, for example the voter turnout was 86.9 percent.⁴⁵

The voter turnout in Gaza was much higher than that in the west bank 87.77 percent of registered voters in Gaza went to polls as compared to 73.5 percent in the direct control over the entire Gaza strip, as opposed to its limited control over the west bank. Two districts that had a high proportion of abstentions were the Jerusalem, district, where only 40.37 percent voted and Hebron, where 66.4 percent voted. During the elections period these two districts were under direct Israeli rule a situation that limited political activity and elections campaigning.⁴⁶

In addition to the factors of Israeli rule, the overall 24.14 percent abstention rate was in part due to reasons of principle and ideology, such as opposition to the elections. The PFLP and DFLP announced their boycott of the elections and Hamas boycotted the elections as well, although it did not adopt an unequivocal position on the matter. These groups did not participate because of their opposition to the Oslo accords (Sep 1993), which was the basis for the elections.

After counting the votes and deducting the invalid ballots for President of the PNA, Yasser Arafat, won as expected, a sweeping victory in first Palestinian presidential election with 88.2 percent of the vote, while Samiha Khalil received only 11.8 percent 1 and in Legislative Elections. Fatah won 55 seats out of 88 Assembly seats (see table 2). The distribution of the valid votes for membership in the Assembly was also not a surprise. Although 55 independent candidates received about 60

⁴⁵ See Ghanem (1996), P. 525.

⁴⁶ Ibid, P. 526.

percent of the votes, they won only 5 seats in the Assembly. The Fatah Candidates running in the organizations name received only 30 percent of the votes in the balloting but won 55 seats, or 62.5 percent of the Assembly's seats. Only 21 Fatah candidates were defeated and did not enter the Assembly. This impressive achievement may be ascribed to the methods Fatah used to point out to the voters the candidates it preferred, its organization in district level network, and the care it took not to disperse voters among various Fatah candidates.⁴⁷

The candidates of the other organizations received 10 percent of the total vote, but only two were elected to the Assembly, one for the Fida Party (Democratic Union) in Ramallah and the other for the Democratic National League in Gaza. The distribution of voter among the 559 independent candidates the regional majority voting system, and tendency to vote along clan lines together, led to the other candidates, failure. Among the independent candidates who were elected, seven were Associated with the Islamic trend, representing 3.5 percent of the Assembly, five were woman, representing 4.4 of the Assembly, three were Christians, and one was a Samaritan from Nablus (See Table No. 2).

The elections conducted in the territories of the PNA on 20 January 1996, were part of the peace process and constitute an important step in the emancipation of the Palestinians in the West Bank and the Gaza strip from Israeli Rule. These were "founding elections", and must be judged as such. They do not permit us to draw any conclusion yet about the ability of the political system in the emerging Palestinian entity to develop along democratic or authoritarian lines. This will depend primarily on the commitment of the various political forces and their leadership to the democratic process and on the internal and external pressures exerted on them in the future.

⁴⁷ Ibid, P. 526.

Table No. 2

(Results of the 1996 Elections)

Presidential Elections	Percentage of votes
Mr. Yasser Arafat	88.2
Mrs. Samiha Khalil	11.5

Legislative Council	88 Seats
Fatah (Palestine Liberation Movement)	55
Independent fatah	7
Independent Islamists	4
Independent Christians	3
Independents	15
Samaritans	1
Others	1
Vacant	2

(Source: *Central Election Commission-Palestine*), 1996

www.elections.ps

Palestinian Presidential Election (2005)

The 2005 Palestinian presidential elections the first to be held since 1996-took place on January 9, 2005 in the West Bank and Gaza strip. PLO chairman Mahmoud Abbas (Abu Mazan) was elected as a new President of the Palestinian Authority after Arafat's death in November 11, 2004 following the death of President Yasser Arafat and according the Palestinian Election Law of 1995, which necessitated carrying elections, was held on 9 January 2005. The central Election commission supervised the elections process, acting as an independent body consisting of Lunde and lawyers led by Dr. Hanna Nasser, former President of Birzeit University.⁴⁸ Despite the negative environment created by the continuous Israeli belligerent occupation and attack launched by Israeli Occupation Forces (IOF) against Palestinian civilians that directly impacted the electoral process in the preceding weeks, Palestinians insisted on participating in the election. They demonstrated a spirit of determination to exercise their electoral right in the face of occupation.⁴⁹

There were two factors for the Palestinian presidential Election. January 9, 2005 of the Palestinian Authority (PA) a landmark in post Arafat Palestinian politics. First, the smooth conduct of the poll throughout the occupied West Bank and Gaza Strip, except East Jerusalem disproved predictions of a power vacuum and civil war within the Palestinian community following the death of Yasser Arafat in November 11, 2004. Second, by electing the president through out free and internationally observed elections the Palestinian proved they were capable of ensuring a smooth transfer of power and were committed to a democratic process to run their affairs. The election demolished the stereotype view of Arabs as nomadic Bedouins, denizens of the desert and harem, irrational extremist, etc. The Palestinian sawt (Arabic for vote) may be an example worth emulating by other countries in the Arab world.⁵⁰ The

⁴⁸ AMAN (2005), "*Palestinian Presidential Elections of 9 January 2005*" P.1 [Online: Web] (<http://www.Aman-Palestine.org/English/documents/amanRptElections.doc>)

⁴⁹ PCHR (2005), "*Palestinian Presidential Election 2005: An evaluation Report of Polling and Counting of Votes (Gaza Strip)*", The Palestinian Center for Human Right p. 4 [Online :---] <http://www.pehrgaza.org>.

⁵⁰ Pradhan Bansidhar (2005), "Presidential Elections A landmark in post-Araft politics", Asian affairs, February 2005, P. 14.

Election was boycotted by Hamas and Islamic Jihad because their election was based on 1996 elections. In the Gaza Strip, where Hamas was strongest, it is estimated that about half of the eligible voters voted.

The Electoral process

Palestinians (including Yasser Arafat before his death) had been demanding presidential elections for some time. The Palestinian Authority called for national, legislative and presidential election as part of a 100 day Reform _Plan initiated in 2002. However, the International Community failed to support these elections until after Arafat's death. As late as September 2004, the Quarter (US, UN, EU, Russia) issued a statement welcoming "steps toward well prepared, free and fair, Palestinian municipal elections", ⁵¹ with no mention of legislative or presidential elections. This apparent reluctance to give Arafat electoral legitimacy undermines the US supposed support for regional democracy. The Palestinian legislative council successfully fulfilled the legal requirements by arranging elections within 60 days of Arafat death on Nov 11, 2004. Local elections were set for 23rd December 2004, and the presidential elections for 9th January 2005.⁵²

There were 1, 757, 756 eligible voters, out of which 1, 092, 407 persons ⁵³ were actually registered, while the rest were estimated by using the civil record. In all 775, 146 persons voted on Election Day. Voter registration started on 4th September, 2004. The first stage was completed by late October 2004, and it resulted in opening 2007 registration centres in the areas of the second phase of registration

⁵¹ Statement by the Middle East Quarter, 23/09/04 <http://www.in.org/Ness/press/docs/20904/sg209/doc.htm>.

⁵² (AABU (2005), "Palestinian Presidential Elections January 2005," Council for Arab-British Understanding, p. 4 [Online: Web] <http://www.caabu.org>.

⁵³ See AMAN (2005), P.1.

Table N0. 3

(Voter Registration & turnout)

1,757,756	Palestinians eligible to vote
1,282,524	People who registered to vote
662,883	Qualified Palestinians who did not register, whose names appear on the Civil registry
The breakdown of the final voter turnout is as follows:	
26, 365	Number of votes in East Jerusalem (out of 120,000 eligible voters)
71%	West Bank population who voted
64%	Gaza Strip population who voted
22%	East Jerusalem population who voted

Source: *Council for Arab – British Understanding (CAABU,2005)*

[http:// www.caabu.org](http://www.caabu.org)

Started on 24 December 2004 and ended on December 2004. During the two phases on overall number of 1, 092, 407 persons were registered. (See Table 3) The Central Election Commission allowed local and international observers, representatives of candidates and political parties to supervise the entire process. At the end of the candidate registration and withdrawal period, seven eligible candidates remained. The two leading contenders were Mahmoud Abbas, also known as Abu Mazen, and Moustafa Barghouti. (See table 4)

Table No. 4

(Palestinian Presidential Candidates)

SN.	Candidate Name	Affiliation
1.	Mahmoud Abbas (Abu Mazen)	Fatah (The Palestinian Liberation) Movement
2.	Mustafa Barghouti	Independent
3.	Tayseer Khalid	Democratic Front for the Liberation of Palestine (DFLP)
4.	Bassam El-salhi	Palestinian People's Party (PPP)
5.	Abdel Halim Al- Ashqar	Independent
6.	Al-Said Baraka	Independent
7.	Abdel Kareem Shbeir	Independent

(Source: Central Election Commission Palestine-2005) www.elections.ps

Yasser Arafat's group, Fatah, selected Abu Mazen as their role candidate. Marwan Barghouti, the jailed Fatah leader, had announced his intention to run as a presidential candidate potentially splitting the Fatah vote, but he withdrew his nomination in December 2004.⁵⁴ The Palestine Centre for Human Right (PCHR) noted violations of the neutrality of the Palestinian National Authority (PNA) in the run up to the elections. They attributed this to the chronic problem of a lack of clear separation between the PNA and its major party, Fatah.⁵⁵ There were approximately

⁵⁴ See, CAABU (2005), P.5.

⁵⁵ See, PCHR (2005), P. 9.

800 international observers and 22, 000 national observers.⁵⁶ The question was raised as to whether there were in fact too many international observers, with worries about overcrowding in some polling stations, especially in East Jerusalem. There was no clear plan for where observers should be based or any comprehensive training regarding the actual monitoring process.

The ability of candidates to campaign in Jerusalem was entirely controlled by the Israeli authorities. Candidates had to have Israeli approval for all campaign related activities. Moreover candidates intending to open campaign offices in Jerusalem had to obtain Jerusalem passing permits. These permits could be obtained by applying to the Ministry of Civil Affairs through the CEC, which was passed on to the Israeli authorities. Again, travel restriction impeded the ability of candidates to campaign.

In line with the precedent set in 1996, the numbers of people allowed to vote in East Jerusalem were again severely limited. Only 6, 000 out of approximately 12, 000 Jerusalem ID holders were eligible to vote in Jerusalem. Six Israeli post offices were rented as polling stations within Jerusalem city for this purpose.⁵⁷ As a result, the majority of Jerusalem ID holders could not vote near their homes, but had to travel approximately 10 miles to one of 12 Jerusalem holder voting centre's in the surrounding areas. Some people said that they had been unaware of the arrangement that voter numbers in Jerusalem would be restricted to 6, 000⁵⁸ There was rumours that Jerusalem ID holder would be penalized if they took part in these elections. People feared that they would be photographed as they went to vote they could potentially lose their residency rights as had happened to Palestinians in the past on the massive scale. In contrast to counting procedures in the rest of Palestine, ballot boxes were transported to the Jerusalem District Electoral office in the Al-Dahiyeh Suburb where counting was conducted the ballot boxes as they were moved international observers were not permitted to do so.

⁵⁶ Central Election Commission (CEC) – Palestine.

⁵⁷ Ibid, P. 11.

⁵⁸ Ibid, P. 12.

Hamas's Response

According to its official announcement of Hamas, Movement will not participate in January's elections to replace Yasser Arafat as head of the Palestinian Authority, the movement's (Hamas) leader in the Gaza strip has'. The presidential election is illegal," Mahmoud Zahhar told reporters as he entered talks with the new head of the Palestinian liberation organization Mahmoud Abbas.⁵⁹

The announcement had been expected as Hamas has consistently rejected the 1993 Oslo Accords, which paved the way for the creation of the Palestinian Authority. The decision by Hamas is a major boost to Abbas' hopes of being voted in as a replacement for Arafat, who won the first and only presidential election in 1996.

Although the dominant Fatah faction agreed on Abbas as its candidate in the election it faced opposition from the Al-Aqsa Martyr's Brigades which had chosen Marwan al-Barguthi.⁶⁰

While polls showed that Fatah remained the most popular of the Palestinian parties, its support had eroded in recent years amid growing disillusionment with performance of Arafat's administration. Some polls have show that Hamas how enjoys more popularity than Fatah in Gaza.

Meanwhile, Al-Aqsa Martyr's Brigades groups in the northern West Bank threatened 16 Nov 2004 to establish "revolutionary courts" in order to try Palestinian authority figures and Fatah officials who served under Yasser Arafat and were suspected of corruption. They threatened to take the law into their own hands and alluded to the public hanging of officials found guilty in their courts.

The announcement by the group, Fatah's military wing included the names of senior PA figures and those who had held senior positions in the past and who were allegedly involved in corruption dealing while the late Palestinian leader was in power, "We are presenting you with our demands and hope that you will take them

⁵⁹ *Al Jazeera*, Nov 16th 2004 4: 04 PM (Online: Web] <http://english.al-jazeera.net/NR/exeres/CIA206A8-288C-49DE-B9AA-2643B7E88045.htm>

⁶⁰ *Al Jazeera*, November 17, 2004.

seriously. We are expecting substantive and quick results within one month. If it does not happen, the Brigades will use their rifles to put an end to all expressions of corruption. They will take the law into their own hands and will establish revolutionary public courts and hanging scaffolds in city squares.”⁶¹ The announcement, headed by a demand to reveal the causes of Arafat’s death was written as an open letter to PLO chairman Mahmoud Abbas and to the chairman of the Palestinian National Council (PNC) Salim Al-Za and interim PA chairman Rouhi Fattouh.

Mahmoud Abbas, PLO Chief and a former prime minister who was also seen as likely candidates for the chairmanship of the Palestinian authority in the January 9, 2005 election. He met leaders of Hamas and Islamic Jihad in Gaza and requested them to halt attacks before the election but did not request a truce outright. Hamas and Islamic Jihad were behind suicide bombings that had killed hundreds of Israelis in the 4 year’s old uprising. “There was a general talk about the need for calm in the coming few months to enable the elections and the Israeli withdrawal”, a senior Palestinian official said.⁶²

Hamas official Mahmoud al-Zahar told reporters before the meeting that a truce could not be considered until Israel stopped raids and assassinations in Palestinian areas.” Al There is great challenge that requires fundamental change in the Palestinian reality” said Ismail Haniya. A truce” is not an issue for discussion in Hamas right now.”⁶³

In the meeting the Hamas representatives also asked Abbas to hold local elections on that date. Abbas and opposition groups are holding a series of talks in the strip relating to elections for PA leaders.⁶⁴ According to Palestinian sources, it became clear during the meeting that Hamas does not intend to participate in elections for PA leaders. Abbas will run for the position as he is vigorously preparing for

⁶¹ Ibid.

⁶² Ibid.

⁶³ Ibid.

⁶⁴ Ibid.

legislative council elections 2006 and it was not beyond the realm of possibilities that they will run directly against Fatah members in these elections.

The option of creating a “united national leadership” was also discussed at the meeting Hamas and Islamic Jihad member called for the creation of such a body and said it needs to be based on the PLO as well as on their organization. Abbas rejected this demand and told the Hamas representatives that their participation in the PLO or a united Leadership would be made possible only after they – together with Islamic Jihad – would recognize negotiations with Israel as a method of recovering Palestinian lands⁶⁵ which Hamas rejected

The Election Result

As expected Mahmoud Abbas won with 62.52 percent of the total votes while Mustafa Barghouti received 19.48 percent (See Table. No .5) After Marwan barghouti, the jailed popular Palestinian leaders from the west bank withdrawal from the election. There was little doubt about the outcome. While Abbas’s percentage of vote stood nowhere near that of Arafat who won the first Palestinian presidential election 1996 with 88.2 percent votes. There are other positive indicators that distinguish the latest elections.⁶⁶

In Palestinian general elections 1996, Arafat faced a symbolic challenged from a 72 year old woman social activist Samiha khalil. In January 2005 presidential elections, there were as many as 7 candidates. These included Mahmoud Abbas from the one each from the Palestine people’s party (PPP) and the Democratic front for the liberation of Palestine (DFLP). An independent candidate, Mustafa Barghouti, came second position. Thus, the elections nationally reflected Palestinian plurality but also underlined the ingrained democratic spirit of the Palestinian community. For a people who have fought for their rights for more than 85 years, this is no man achievement.

⁶⁵ *Ibid.*

⁶⁶ See Pradhan (2005), P.14.

Table No. 5***(Presidential Election Final Results)***

Sequential No	Name of Candidate (Category)	Political Affiliation	No. of Votes	Percentage of total voters
1.	Mahmoud Abbas Abu Mazen	Fatah Movement	501, 448	% 62.52
2.	Mustafa Barghouthi	Independent Candidate	156, 227	% 19.48
3.	Tayseer Khaled	Democratic Front for the liberation of Palestine	26, 848	% 3.35
4.	Abd Al-Halim Al- Ashqar	Independent Candidate	22, 171	% 2.76
5.	Bassam Al-Salhi	Peoples Party of Palestine	21, 429	% 2.67
6.	Sayyed Barakeh	Independent Candidate	10, 406	% 1.30
7.	Abd Al Karim Shbair	Independent Candidate	5, 717	% 0.71
8.	Invalid papers	-	30, 672	%3.82
9.	Blank Paper	-	27, 159	% 3.39
Total No of Voters			802, 077	100.00%

(Source: *central Election Commission (CEC)-Palestine, 2005*)

www.elections.ps

Hamas did not participate in the elections not because it opposed the democratic process but because it challenged. The very basis of the elections the Oslo frame work. Hamas fully participated in local elections and won 77 seats out of 118 municipalities' seats. Despite the boycott, Abbas's victory was a victory of the Palestinian people while Abbas faced three daunting challenges: reviving the moribund peace process, respecting the broad Palestinian national consensus, and providing good governance.

Palestinian Legislative Council Election (2006)

Hamas won a surprise victory in Palestinian Legislative Council (PLC) election January 25, 2006. Hamas emerged as a popular political party in Palestine politics and changed Palestinian political structure. Hamas secured 76 seats out of 132 seats, while Hamas rival Fatah won 43 seats.

A serious debate started in autumn 2005 in the West Bank and Gaza about the date for this election. The Fatah organization had suggested delaying the elections again until summer 2006, however, there was no valid reason to support this delay and Fatah and the Palestinian Authority (PA) had already delayed the elections from the summer of 2005 until January 2006. Hamas had insisted that election to be held as planned on 25 January 2006. Mahmoud Abbas, the PA President had ignored his Prime Minister, Ahmad Qurei's advice that there were serious divisions among the Fatah candidates after being advised by Omar Suleiman, the Egyptian Intelligence Chief. Abbas was eager to form a list of candidates which included a considerable representation of veteran and senior members' and also fresh new blood within PA politics.⁶⁷ It was clear that there were even divisions between the Fatah candidates, and Omar Suleiman was trying to convince Fatah to run the elections under one united list.⁶⁸

⁶⁷ 'Hamas victory in Palestinian vote stuns Mid-east', *International Herald Tribune*, 27 January 2006, 'Abbas want to delay elections', at www.ynetnews.com, 12 December 2005.

⁶⁸ Fatah said to run united in Palestinian elections at www.arabicnews.com, 23 December 2005.

Egypt was attempting to mediate between the Palestinian groups in order to reach a mutual agreement. It also tried to back up the US and Israeli pressure put on the Palestinians, which aimed to convince the militant groups to stop targeting Israel. The Palestinian Authority, however, was focusing on the Israeli withdrawal from Gaza. The withdrawal was organized by Israel without any serious contact with the PA. Both Hamas and Fatah had considered this withdrawal a direct result of their resistance there was much conflict about who would eventually rule Gaza after the withdrawal. Fatah and the PA were thinking that Hamas was trying to present itself as an alternative to the existing government. This notion was not entirely incorrect as Hamas saw this event as an opportunity to prove its power in Gaza. This political attitude was perceived as a clear message to the PA. Gaza was considered a real challenge to the PA problems such as law and order, unemployment, infrastructure, education and health services needed to opportunity as a time to demonstrate its power through elections instead of through violence. It also decided that the elections should be held in January 2006.⁶⁹

This was not the first time Hamas had won the majority of seats in an election. In the mid-December 2005 local elections, Hamas al-Bireh Ramallah's adjacent municipality. It also won a majority in most Gaza cities. It was clear that Hamas's candidates were well organized and their election strategy was also well planned.⁷⁰

Interestingly Hamas election campaign was centred mainly on six issues: 1. corruption, 2. negotiations with Israel, 3. the use of violence, 4. Jerusalem, 5. refugees and 6. Borders. Every candidate tried to focus on these issues in order to convince the voters. Candidates also had to be careful in reflecting their opinions. It was very important to keep a balance between the voters' needs and appealing to the international community.

The campaign issue requiring to be touched on were all inter related and therefore skills and experience were needed to cover all of them successfully. More

⁶⁹ Zureiri, Mahjoob (2006), "The Hamas Victory: Shifting sands or major earthquake?" *Third World Quarterly*, 27(4): 676.

⁷⁰ 'Why Palestinians are voting for Hamas, *Jerusalem Post*, 13 January 2006.

importantly, the way of handling those issues relied heavily on the experience of the candidates as well. Hamas was in need of an image change so it did not want to promote its performance on a military/ resistance basis. Fatah was also in need of an image change but it was also necessary for it to focus on its previous mistakes, as well as on how to rectify them. Fatah needed to address the issue of widespread corruption within its organization in order to stand any chance of gaining a majority.⁷¹

Hamas began preparing itself for this election early; its first step was in offering a truce (*hudnah*) to the Israelis. It was suggested that Hamas would not attack Israel as long as Israel ceased its offensive against Palestinian cities. Hamas had also prepared a very clear manifesto, named the 'Change and Reform List', focused on the Palestinians' concerns and daily life issues, as well as on corruption, unemployment and security. It also suggested a comprehensive plan to reform the Palestinian administration. Hamas appointed Nashat Aqtash as Media Advisor to help change its image from that of militant organization to that of a political player.⁷² Hamas avoided mentioning the destruction of Israel or its suicide bomber operations in its manifesto. Its language was open, specific and concentrated on daily life issues.

Fatah used many tactics to change its image, including using Marwan Barghouti as a first candidate who was already in Israeli jail. Israel had allowed Aljazeera satellite TV and Al-Arabia TV to interview him in prison.⁷³ It was very clear that not only the PA was feeling the pressure of Hamas progress, but also the Israelis and the USA. Fatah tried hard to admit that it was guilty of corruption but accused Israel of creating problems which affected the performance of the PA and Fatah. It was clear that Fatah was concerned but did nothing to change public opinion after more than 40 years in power. Fatah and the PA were attacked by Hamas and its supporters for talking \$2 millions. It was reported that US Agency for International Development (USAID) had given this money to help Fatah boost its image before the

⁷¹ See Zaweiri, Mahjoob (2006), p.677.

⁷² Ibid.

⁷³ Al-Jazeera, 22 January 2006 [online: web] <http://english.aljazeera.net>.

elections.⁷⁴ The PA and Fatah were aided by Israel when the Israeli government decided to allow 100000 Palestinians who live in East Jerusalem to vote.

Hamas and Fatah were tying and at times Fatah was ahead of Hamas, but this did not mean that only these parties were competing. Parties such as 'Independent Palestine', headed by Mustafa Barghouti, 'The Alternative', which is a coalition of the 'People's Party', the 'Palestinian Democratic Union' (FEDA) and independent candidates who were targeting corruption and corrupted politicians were also involved. Other parties also included the 'Third Way' party headed by Salama Fayyad, former finance minister and the 'National Coalition for Justice and Democracy' led by Dr.Eyad El Sarraj.⁷⁵ There were more than 700 candidates and around 1.3 million registered voters.⁷⁶ The poll, supervised by Birzeit University predicted Fatah winning 63 seats and Hamas 58 seats. Other polls by the Palestinian center for policy and survey research had predicted that Fatah would win 58 seats and Hamas 35 seats. It was obvious that Fatah led against Hamas but marginally.⁷⁷

There is no doubt that Fatah is always seen as the only Palestinian organization which has represented the Palestinian people and defended their rights. Fatah leaders assumed the support which they were accustomed to in the past, when Yasser Arafat was alive and headed the organization. In fact these elections and the previous elections showed that the Palestinian people were supporting Fatah because Arafat was its leader. It was clear that none of the Fatah leaders had the charisma to fill Arafat's place. Losing the majority in the second parliamentary elections or legislative elections was a clear message that Fatah was no longer welcomed by the Palestinians.

⁷⁴ Ibid., 23 January 2006.

⁷⁵ Financial Times, 20 January 2006.

⁷⁶ Surge in support for Hamas as voters prepare to reject Fatah', Guardian, 25 January 2006.

⁷⁷ Hamas makes strong showing in vote; Washington Post, 26 January 2006.

Voter Registration

The requirements on who is eligible in the PLC election are stated in The Election Law Article 9 and 10. According to these regulations, persons eligible to vote must be (See Map No.1):

- Palestinian
- At least 18 years of age on Election Day.
- Registered in the relevant constituency register.
- Enlisted in the final elector register.
- Not deprived of the right of vote by a judicial sentence from a Palestinian court.

A Palestinian is here defined as a person:

- Born in Palestine as defined by British Mandate, or
- Born in Gaza or West Bank, including Jerusalem, or
- Irrespective of place of birth having one or more direct ancestors born as above, or is the spouse of an eligible Palestinian.
- Has not acquired the Israeli nationality

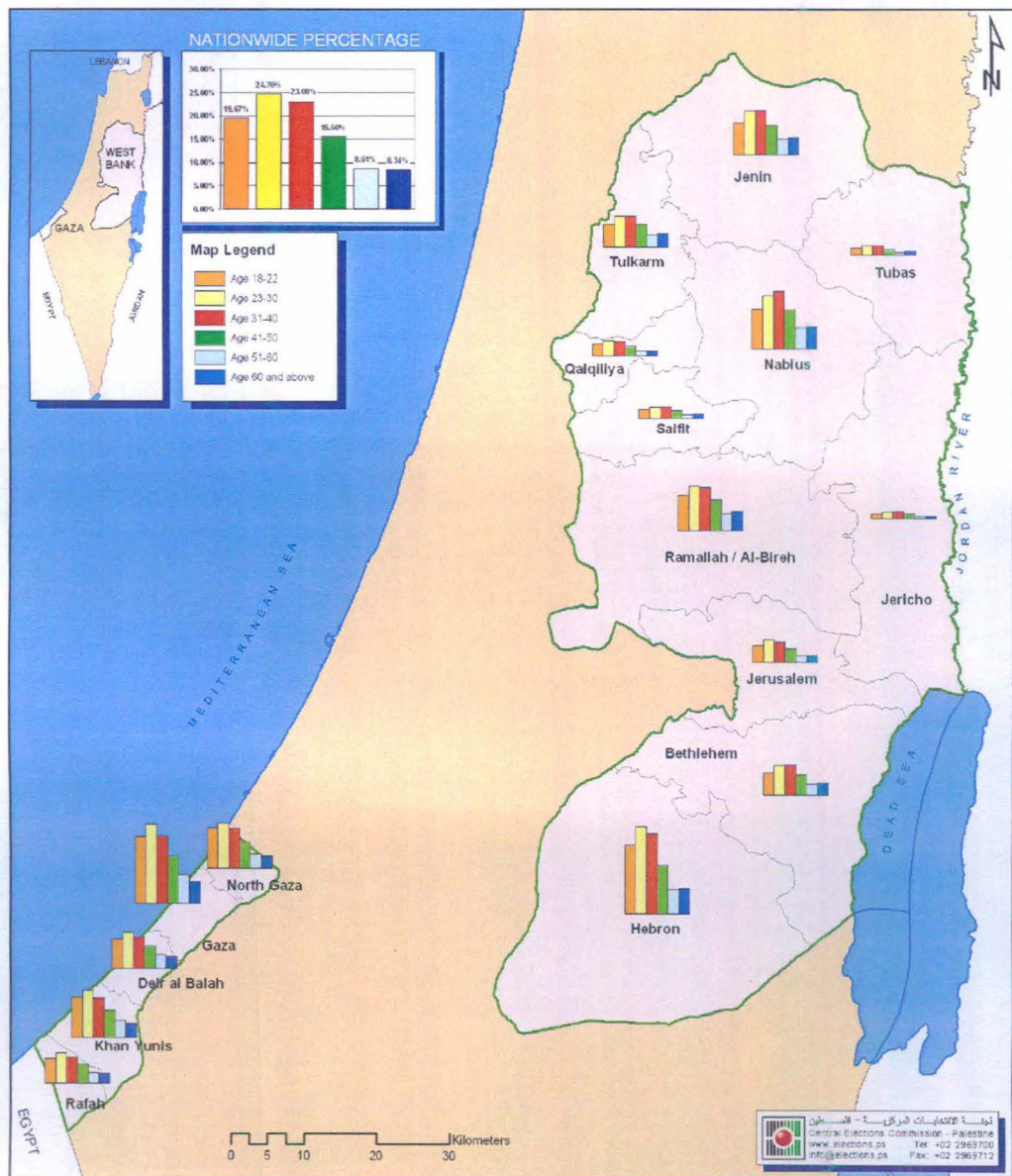
The relevant constituency is defined where the voter resides (EL Art 36, 4), but many voters still register at the traditional residence of the family. This means that many voters cast their ballot away from their actual place of residence. A total of 1,332,499 voters were registered to vote in the election, and this was an increase from the figures at the Presidential election in 2005 which were 1282524 voters. According to the CEC this constituted more than 70% of all estimated eligible voters.⁷⁸ The public access to the final register of voters was restricted. The Central Election Commission did not publish the register before the polling day, but the register was

⁷⁸ Ibid.

available on demand by candidates. In this way independent cross-checking of the persons for double registration was not possible. The transparency of the registration of voters was thus in practice limited. Registration of an estimated 123,000 voters in East Jerusalem was not permitted by the Israeli authorities.

Map.1

THE SECOND PALESTINIAN LEGISLATIVE COUNCIL ELECTIONS - 25th JANUARY 2006
 ELIGIBLE VOTERS ON THE VOTERS' LIST, BY AGE-GROUPS AND PER DISTRICT



(Source: Central Election Commission- Palestine ,2006) www.elections.ps

Candidate Registration

The Election Law (Art.11) has provisions which prohibit PA employees (civil and military), anyone whose salary is paid from public funds, employees of public institutions and international organizations to stand as a candidate unless they resign prior to the date set for the announcement of the final list of candidates. To stand as a candidate for the legislative council, the candidate must be Palestinian, 28 years of age or older on the designated polling day, registered in the final voter register and have permanent residence within the Palestinian territories (EL, Art 15). Contestants can register as part of a national electoral list which is composed of a registered party, coalition of parties, or grouping of people for the purpose of conducting elections, or as an individual candidate on the district level. A national electoral list must be supported by at least three thousand eligible voters and must make a deposit of \$ 6000. If any members of the list are elected, the deposit will be refunded. The list has to have at least 7 and maximum of 66 candidates. (EL, Art 16-07).

An individual candidate on the district level must be supported by at least five hundred voters who are eligible to vote and must make a deposit of \$1000. In case the candidate is elected, the deposit will be refunded, (EL, Art 16-17). There were 314 registered candidates on 11 electoral lists on the national level, and 414 candidates on the district level. Of these 414 candidates are relative large numbers of candidates. (257) were registered as independent candidates. This does not mean that they necessarily were truly independent candidates; many were affiliated with a party.

During the campaigning period, several independent candidates announced that they withdrew their candidacy; some did this as late as the 23 of January. This had no effect on the candidate names on the ballot as there was no legal possibility for a candidate to withdraw his/ her candidacy after the registration had been closed and the CEC had published the final lists, In the interviews with some of the candidates that had announced their withdrawal, they said that the unofficial reason for their withdrawal was pressure from Fatah. Other independent candidates (in Hebron) with Fatah affiliation complained that Fatah spread false rumors that they had withdrawn.

After the election there were also complaints from independent candidates (in Hebron) with Fatah affiliation that they were blamed for Fatah losing the election and they were told that this would have consequences for them, as being excluded from the Fatah movement.

The Election Campaign

The previous Palestinian Legislative Council election, which Hamas officially boycotted, took place ten years ago in 1996. The Council's four-year term was repeatedly extended by the Palestinian Authority, which claimed that the poor security situation and Israeli military incursions made elections impossible. The most recent postponement came in July 2005, following dispute over a new election law, although some observers suggested that senior members of Fatah had favored a delay to allow time to address the growing electoral threat posed by the younger, more militant wing of Fatah led by Marwan Barghouti and by Hamas. In municipal council elections in December 2004 and January 2005 Hamas had made major gains, winning 77 of 118 available seats in Gaza and capturing 35% of seats in the West Bank.

Eventual resolution of the dispute over electoral reform led to the introduction of a new mixed system, under which the number of Legislative Council seats was increased from 88 to 132 and the seats were split into two groups; half being elected from constituencies, the other half by party lists.

The build-up to the January 2006 election took place against a backdrop of inter-factional violence in Gaza and splits within Fatah. These had increased since the death in November 2004 of Yasser Arafat, whose authority and co-option of discontented factions had helped ensure some level of unity. Disputes over party primaries in late 2005 initially led a faction headed by the jailed Marwan Barghouti to register its own list of candidates, although a united list was eventually submitted at

the end of December 2005 due to fears that disunity within Fatah would boost Hamas.⁷⁹

Disagreements also arose with Israel over voting rights for Palestinians in East Jerusalem, which Israel claims as part of its own united capital, but which the international community views as occupied territory. President Abbas had threatened to postpone the election if Israel failed to lift a ban on voting in the east of the city, although, in the event, around 6,000 Palestinians were permitted to vote in East Jerusalem. The remaining 100,000 or more had to travel to other polling stations outside the city boundaries to cast their ballots.⁸⁰

The Election Results

As preliminary results came in, it soon became apparent that Hamas had performed far better than most commentators had anticipated. The final distribution of seats showed Hamas (running under the name ‘Change and Reform’) had won 76 seats in the 132 seat chamber (57.5% of the seats), with Fatah in second place with 43 (32.5%).⁸¹ This represented a slight change over the preliminary results, with Fatah gaining an extra two seats in the final count. Turnout was 77%. The final distribution of seats is presented in the table below: (See Map No.2 and Table No.6)

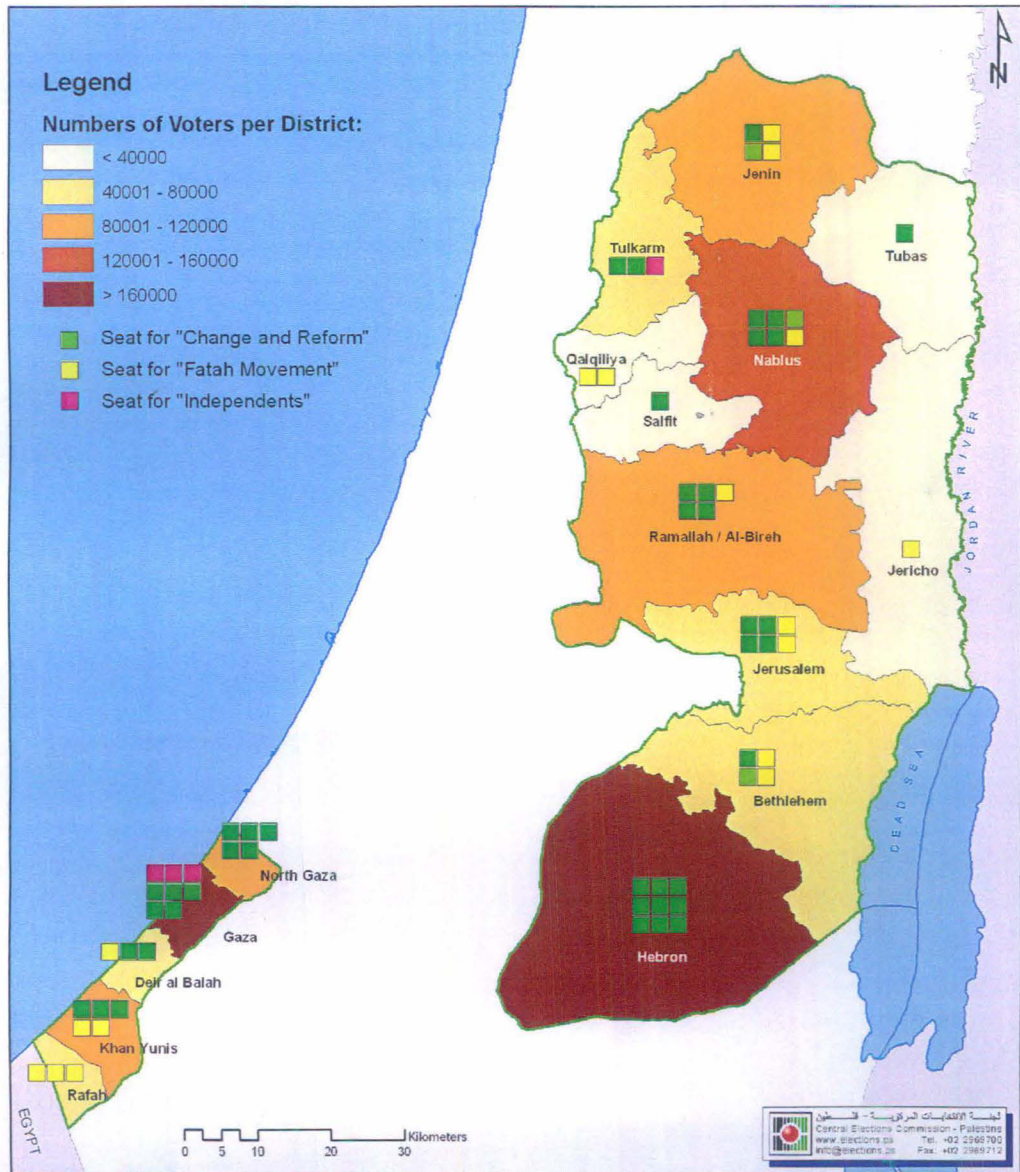
⁷⁹ One commentator described the Fatah primaries as follows: “The primaries were non-binding, and when the old guard saw the landslide in favour of the new generation, they chose simply to ignore it when drawing up the official candidate list – save for the unavoidable inclusion of Barghouti at its head. The younger generation responded with their own list that would have split the Fatah vote. Bitter wrangling followed”. Alastair Croke, ‘Hamas and the Fatah radicals will transform Palestinian politics’, *Prospect*, February 2006.

⁸⁰ See Section II C below for more detail on voting in East Jerusalem.

⁸¹ Source: Central Election Commission, Palestine, http://www.elections.ps/pdf/Final_Result_distribution_of_PLC_seats-EN2.pdf.

Map-2

THE SECOND PALESTINIAN LEGISLATIVE COUNCIL ELECTIONS - 25th JANUARY 2006 DISTRIBUTION OF THE 66 SEATS ACCORDING TO DISTRICT VOTES



(Source: Central Election Commission- Palestine, 2006)

www.elections.ps

Table No.6

(Final Result: Distribution of PLC Seats)

	Political affiliation	No. of seats in the lists	No. of seats in the districts	Total no. of seats
1.	Change and Reform	29	45	76
2.	Fatah Movement	28	17	43
3.	Martyr Abu Ali Mustafa	3	0	3
4.	The Third Way	2	0	2
5.	The Alternative	2	0	2
6.	Independent Palestine	2	0	2
7.	Independents	0	4	4
	Total	66	66	132

By comparison, the 1996 election results were as follows:

Fatah:	55 seats
Independent Fatah:	7 seats
Independent Islamists:	4 seats
Independent Christians:	3 seats
Independents:	15 seats
Samaritans:	1 seat
Others:	1 seat
Vacant:	2 seats ⁸²

(Source: Central Election Commission, Palestine)

<http://www.elections.ps/pdf/FinalResultdistribution of PLC seats-EN2.pdf>

Some observers highlighted a disparity between the number of seats won by Hamas and the size of its popular vote, with many noting that Hamas did not win a

⁸² BBC News website, http://news.bbc.co.uk/1/hi/world/middle_east/4654306.stm.

majority in the popular vote. Khalil Shikaki, a leading Palestinian polling expert and director of the Palestinian Center for Policy and Survey Research, argued that:

Table No.7
(The Final Results for the Electoral Lists)

No.	Electoral Lists	No. of Valid Votes	Percentages	No. of Seats*
1	Change and Reform	440,409	44.45%	29
2	Fatah Movement	410,554	41.43%	28
3	Martyr Bu Ali Mustafa	42,101	4.25%	3
4	The Alternative	28,973	2.92%	2
5	Independent Palestine (Mustafa al-Barghouthi and Independents)	26,909	2.72%	2
6	The Third Way	23,862	2.41%	2
7	Freedom and Social Justice	7,127	0.72%	0**
8	Freedom and Independence	4,398	0.44%	0**
9	Martyr Abu al-Abbas	3,011	0.30%	0**
10	The National Coalition for Justice and Democracy (Wa'ad)	1,806	0.18%	0**
11	The Palestinian Justice	1,723	0.17%	0**
	Total (95.05%)	990,873	100.00%	66
	Total No. of Invalid papers (2.86%)	29,864		
	Total No. of blank papers (2.08%)	21,687		
	Total No. of electors	1,042,424		

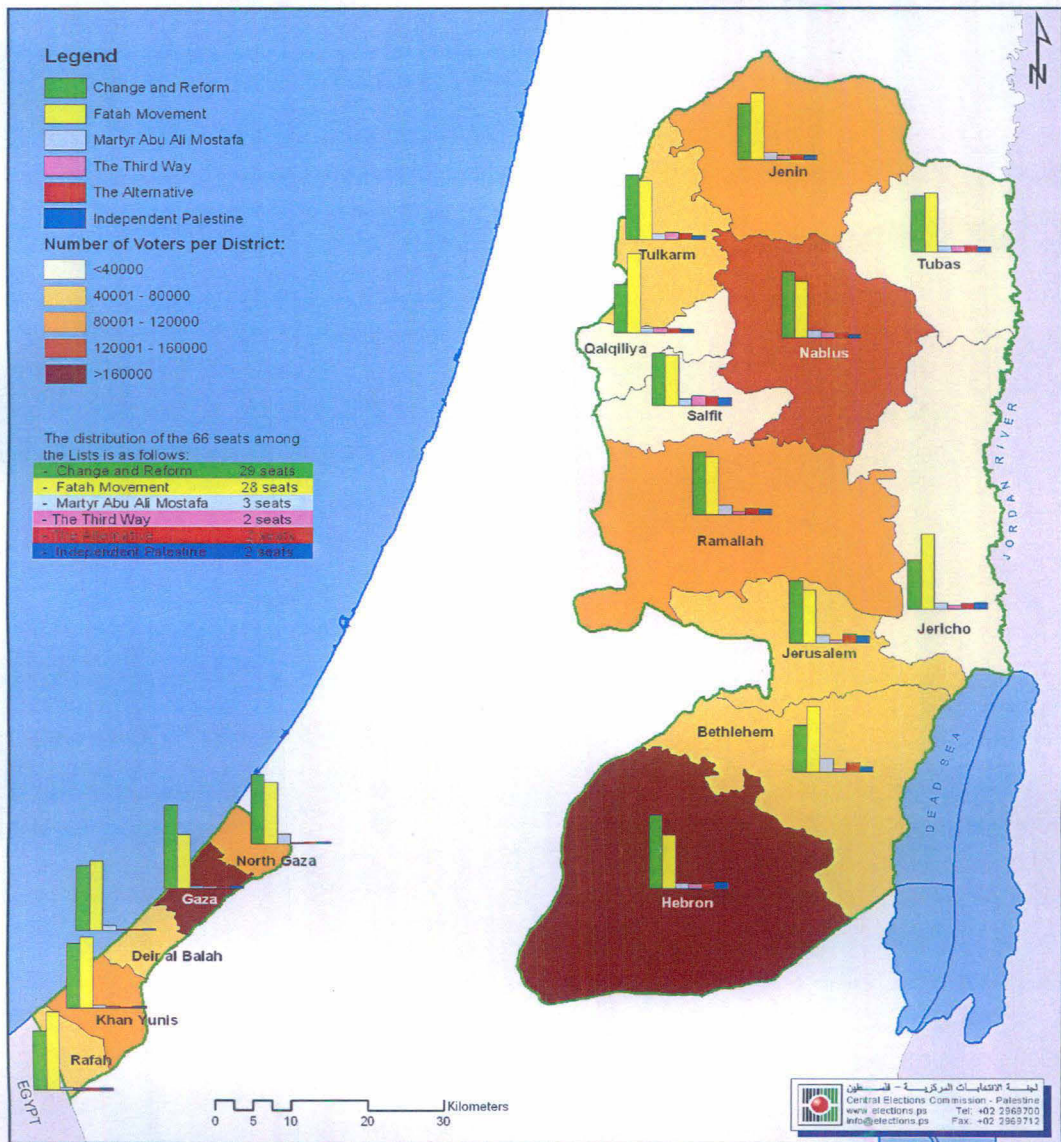
* Parliamentary seats were allocated according to the Sainte Lague method

** Less than the threshold percentage which is (19,817 votes)

(Source: Central Elections Commission, Palestine.)

Map No. 3

THE SECOND PALESTINIAN LEGISLATIVE COUNCIL ELECTIONS - 25th JANUARY 2006 PERCENTAGES OF VOTES FOR PARTY LISTS PER DISTRICT



Source: Central Election Commission- Palestine at www.elections.ps

Despite all the hand-wringing over whether Palestinians have suddenly taken a more extremist turn, a closer look at the numbers reveals a more complex picture. For one thing, Hamas received only 44.45 percent of the popular vote. (See Table No.7

and Map No.3) The nature of the electoral system, which magnified the existing fragmentation of Hamas's opposition, was what gave the Islamist movement the 58 percent of the seats it won. The divided Fatah and four other secular parties won a majority of the popular vote – 55 percent – but only 39 percent of the seats. (A handful of independent candidates won the rest).

Hamas's support in the wider population is even lower. To be sure, its popularity has been growing. Five years of intifada, starting in September 2000 bolstered the party's image; many Palestinians supported Hamas's bombing attacks against Israelis, which they viewed as a justified response to Israel's disproportionate use of force against, and collective punishment of, the civilian population. The unfulfilled expectations that followed the election of Mahmoud Abbas as president of the Palestinian Authority last year – for better governance, economic prosperity and progress in the peace process – increased support for Hamas by 40 percent during 2005. Yet even that translated into only 35 percent support among the public at large. Its remarkable showing in the elections demonstrates that its supporters were more determined to vote than Fatah's, and perhaps that some former Fatah supporters were lodging a protest vote.

Khalil Shikaki in his News Week article on 6 February 2006 concluded that Hamas had offered a clear alternative on the two central issues for voters, namely tackling corruption and the inability of the PA to enforce law and order, adding that the main area of support for Fatah, the peace process, had not featured very high on voters' life of priorities:

The most interesting aspect of the rise of Hamas is that its own voters, as demonstrated in exit polls, do not share its views on the peace process. Three quarters of all Palestinians, including more than 60 percent of Hamas supporters, are willing to support reconciliation between Palestinians and Israelis based on a two-state solution. During the last 10 years, the trend among the Palestinians has been to move away from hard-line attitudes and to embrace moderate ones. Indeed, more than 60 percent of Hamas voters support an immediate return to negotiations with Israel. Had the issue of peace been the most important consideration in these elections, Fatah would

certainly have won. But the peace process was the least important issue for the voters.⁸³

Jerome Segal of the Center for International and Security Studies and a founder member of Jewish Peace Lobby concurred that the outcome of the election presented a more complex picture than first appeared. In particular, he noted that substantial powers would remain with President Abbas:

It is something of a misunderstanding to say that Hamas won the right to govern the Palestinian Authority. Hamas won 74 out of 132 seats in the Palestinian Parliament; to this they have a right. However, Palestinian governance is split between the president, the prime minister and cabinet, and the parliament. As President, Abbas retains significant governing powers, including: the right to propose legislation; the right to veto legislation (a two-thirds vote of 88 members is required to override a veto); the right to select and remove the prime minister; ultimate authority over the security services; the ability to issue Presidential decrees with the force of law when parliament is not in session; and the ability to declare a state of emergency in which he has yet additional powers.⁸⁴

On 28 January Mr. Abbas consolidated presidential control over the security services by revoking his decree from the year before that had placed the Preventative Security Service, the police and civil defense under the command of the Interior Ministry. Additional powers were transferred to the presidency by the outgoing parliament on 13 February, allowing Mr. Abbas to appoint a constitutional court that could cancel future legislation. The judges on the court can be appointed by the President, without the need for parliamentary approval.⁸⁵ Furthermore, the parliament approved a decree that would automatically make members of the incoming parliament members of the PLO parliament in exile. Unlike the Hamas charter, the

⁸³ Khalil Shikaki, 'The Polls: What the Palestinians Really Voted For', *Newsweek*, 6 February 2006.

⁸⁴ Jerome M Segal, 'Common Ground: Last chance to end conflict', *United Press International*, 10 February 2006.

⁸⁵ Ironically, these changes reversed reforms that had been made in response to concerns raised by the EU and US over the concentration of power of power in the hands of the presidency during the Arafat era.

PLO charter recognizes the state of Israel. Hamas criticized the changes, calling them illegitimate, and said it would seek to overturn them in the new parliament.⁸⁶

Reaction to the Result

Palestine

The election results evoked mixed reaction in the West Bank and Gaza Strip. Opinion polls had suggested Hamas would perform strongly, but the majority had predicted a tie with Fatah, at most. Sporadic armed clashes were reported between Hamas and Fatah members in Gaza in the days after the election. Fatah activists demonstrated in Ramallah against the movement's leadership, which they blamed for the defeat.

The new Legislative Council was convened on 18 February when President Abbas confirmed that Hamas would be asked to form the next government. *BBC Monitoring* summarized his address to the new parliament as follows:

He offered his full cooperation and encouragement in [the] task [of forming a new government], expressing the hope that the government would be formed as quickly as possible since it had important tasks ahead. Abbas also outlined his political platform, saying that he was elected on its basis and remained committed to its implementation. He said that both the Presidency and the government remained committed to negotiations as a strategic political option, noting however peaceful forms of popular resistance. He stressed that Israel's "iron-fist policy" would only lead to further deterioration and urged the Quartet and the US Administration to make "Serious efforts" to restore peace negotiations. Commenting on the domestic policy, Abbas promised to help and support all reform initiatives which would strengthen the rule of law and order, "one legitimate weapon" and political pluralism.

⁸⁶ An attempt by Hamas legislators to revoke the changes during the new parliament's first session on 6 March was opposed by Fatah members, who walked out in protest. As of 14 March the issue has been referred to the Palestinian Supreme Court for a ruling.

Concluding his speech, the Palestinian president addressed the Israeli people, stressing that “the age of unilateral solutions is over”. He condemned the “dismemberment” of the West Bank, “confiscation” of the Jordan Valley and “isolation” of Jerusalem and pointed out that the Palestinians reject any partial, unilateral or temporary solution.⁸⁷

Aziz Duaik, an academic linked to Hamas, was confirmed as speaker of the parliament, and the movement formally announced on 20 February that its nomination for the post of prime minister would be Ismail Haniya, a prominent Gaza leader who is viewed by many as a relative pragmatist and moderate. Hamas officials said they would prefer a government of national unity with Fatah, but that they would govern alone if necessary. Mr. Haniya had told supporters earlier that: “When we are calling for unity and partnership it is not because we are afraid or weak or incapable of facing the challenges ahead, but because we believe in unity”.⁸⁸ Commentators believe that Hamas was wary about governing alone, not least because the next Palestinian government would face considerable domestic challenges and have only limited resources to tackle them, but also because it would complicate relations with the international community and hamper the delivery of crucial aid.

Mr. Abbas indicated in late February that he would resign if he felt unable to pursue his agenda with the new government, warning that:

We could reach a point where I cannot perform my duty. I will not continue sitting in this place, against and in spite of my convictions. If I can do something I will continue, otherwise I won't.⁸⁹

The victory for Hamas initially caught the Israeli Government off guard.⁹⁰ Acting Prime Minister Ehud Olmert said on 29 January that Israel would not engage with a Palestinian Authority that included Hamas unless certain conditions were met:

⁸⁷ ‘Palestinian president addresses new parliament’, *Palestinian TV*, 18 February, translated by *BBC Monitoring*.

⁸⁸ ‘Hamas invited to form government’, BBC News website, 27 January 2006. http://news.bbc.co.uk/2/hi/middle_east/4654220.stm.

⁸⁹ Interview with ITN, quoted in ‘Palestinian leader issues warning’, BBC News website, 26 February 2006.

We have made it clear that without giving up its ways of terror, recognizing Israel's right to exist in peace and security, and honoring all the Palestinian [National] Authority accords towards Israel – including, of course, annulling the Hamas charter calling for the destruction of the State of Israel – Israel will not hold any contact with the Palestinians.⁹¹

In early February the Israeli Government released \$54 million (£ 31 million) of customs and VAT revenue from the previous month, revenue that Israel collects and transfers to the Palestinian Authority. The formal announcement on 18 February that Hamas had been asked to form the next government, however, prompted the Israeli cabinet to impose a range of sanctions that included withholding future monthly transfers of tax revenue. The cabinet said it would approach the international community to discontinue all financial assistance to the Palestinian Authority, not including humanitarian assistance provided directly to the Palestinian population. In this regard, Israel will expand its assistance for the operations of humanitarian organizations that work with assisting the Palestinian population.⁹²

Other measures were introduced to restrict the movement of Hamas members, including new MPs, through areas under Israeli control, to ban the transfer of equipment to Palestinian security forces, and to strengthen security checks at crossing points from Gaza into Israel. Prime Minister Ehud Olmert declared:

It is clear that in light of the Hamas majority in the PLO and the instructions to form a new government that were given to the head of Hamas, the PA is – in practice – becoming a terrorist authority. Israel will not hold contacts with the administration in which Hamas plays any part – small, large or permanent.⁹³

⁹⁰ See for example 'Israel's Olmert slams intelligence agencies for failure to predict Hamas victory', Israeli newspaper *Yediot Aharonot*, 27 January 2006, translated by *BBC Monitoring*.

⁹¹ 'Israel acting PM says world accepts conditions for talks with Hamas', Israeli *Ha'aretz* newspaper website, 29 January 2006, carried by *BBC Monitoring*.

⁹² Israeli Cabinet Communique, 19 February 2006, <http://www.israel-mfa.gov.il/MFA/Government/Communiques/2006/Cabinet+Communique+19-Feb-2006.htm> .

⁹³ BBC News website, 20 February 2006, http://news.bbc.co.uk/1/hi/world/middle_east/4730568.stm .

Hamas official said they regretted the Israeli move. Mr. Haniya said Israel “should have responded differently to the democracy expressed by the Palestinian people”, adding that the Palestinians had “lots of alternatives” if Israel and the international community decided to withhold aid.⁹⁴

President Abbas was less sanguine, warning that the PA was in a “real financial crisis”: “The pressures have begun and the support and the aid started to decrease”.⁹⁵ It is believed that the 140,000 people employed by the PA (of which at least 58,000 are members of the security forces) are breadwinners for as much as one third of the Palestinian population, so financial restrictions could have a significant social impact in the Palestinian territories.⁹⁶

The UN Special Coordinator for the “Middle East Peace Process”, Alvaro de Soto, said that the revenues collected belong to the Palestinians and should not be withheld”. He also pointed to the Quartet statement, saying that “the formation of a new government and the approval of its programmed should be awaited and that actions prior to that would be premature”.⁹⁷ Former US president Jimmy Carter, who led a team of international election observers, also criticized the Israeli measures, saying they would present “significant obstacles” to the effective governance of the Palestinian territories, adding that efforts by Israel or the US to undermine Hamas would only bolster its standing both domestically and internationally.⁹⁸

Opinion polls from late 2005 suggested the Israeli public was more relaxed about establishing official contacts with Hamas, with around 50% saying they would be willing to negotiate with Hamas in order to conclude a peace agreement. Polls also suggested more than half of Israelis would be willing to allow Hamas fighters to join the Palestinian security services in order to disarm the militias.⁹⁹

⁹⁴ Ibid.

⁹⁵ Ibid.

⁹⁶ Figures from the World Bank quoted in the *Guardian*, 30 January 2006 and *New York Times*, 14 February 2006.

⁹⁷ ‘UN criticizes Israel’s move to withhold Palestinian cash’, *Independent*, 21 February 2006.

⁹⁸ Jimmy Carter, ‘Don’t Punish the Palestinians’, *Washington Post*, 20 February 2006.

⁹⁹ See for example the Israeli *Ha’aretz newspaper*, 22 December 2005.

International Reaction

The Hamas electoral victory put the international community in a serious dilemma. It provides crucial financial assistance¹⁰⁰ to the Palestinian Authority and has supported free and fair elections in Palestine, but is now faced with the prospect that Hamas, a movement that both the E U and U S view as a terrorist group, would play a major role in the next Palestinian government.¹⁰¹

The international approach has been to welcome the conduct of the elections, while reiterating the mantra that violence and terrorism are incompatible with the democratic process. The Middle East Quartet, which comprises the UN, EU, Russia and the United States, has called on Hamas to renounce violence, to recognize the state of Israel, and to respect previous agreements and obligations in the peace process.

The EU General Affairs and External Relations Council meeting on 30-31 January endorsed the Quartet statement and stressed

The need for the continuous commitment of all parties to the Palestinian constitutional process and emphasized the central role of President Mahmoud Abbas in ensuring stability in this transitional period. It reiterated its full support for President Abbas' determination to pursue a peaceful solution of the conflict with Israel. The Council underlined that violence and terror are incompatible with democratic processes and urged Hamas and all other factions to renounce violence, to recognize Israel's right to exist, and to disarm.

The Council expects the newly elected PLC to support the formation of a government committed to a peaceful and negotiated solution of the conflict with Israel based on existing agreements and the Roadmap as well as

¹⁰⁰ See Appendix 1 for details of UK and EU funding to the Palestinians.

¹⁰¹ The EU initially proscribed the military wing of Hamas in 2001, but this was extended to the whole organization in September 2003. See Council Common Position, 2003/651/CFSP, 12 September 2003, OJL 229, 13 September 2003, <http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX:32003E0651:EN:HTML> .

to the rule of law, reform and sound fiscal management. On this basis the European Union stands ready to continue to support Palestinian economic development and democratic state building.¹⁰²

The Bush administration characterized the election as a healthy process that had shaken up the old guard within the PLO, but stressed there would be no contacts with Hamas unless it altered its position substantially. US Secretary of State Condoleezza Rice said:

The US can't fund a government that is run by an organization that it lists as a terrorist organization. It's just a practical matter.

British foreign Secretary Jack Straw indicated on 7 February that the EU and its Quartet partners were not expecting a dramatic U-turn by Hamas on long-established positions, but that indications of progress were required:

The ball is in the court of Hamas. We are not expecting it to stand on its head and abandon overnight every position that it has held in the past. We are expecting from it, however, some clear indications of the direction in which it wishes to travel.¹⁰³

Signs of differences of emphasis within the Quartet emerged in the weeks after the elections, with some criticizing the EU and US for their refusal to talk directly to the movement.

The Russian President Vladimir Putin, whose government held meetings with Hamas representatives in early March, argued that:

We need to recognize that Hamas has come to power as a result of a legitimate election and we need to respect the will of the Palestinian people. To burn bridges would be the simplest action, but it lacks perspective.¹⁰⁴

Alastair Crooke, the Director of Conflicts Forum and a former EU negotiator with the Palestinian factions, commented:

¹⁰² General Affairs and External Relations Council Conclusions, 30-31 January 2006, http://ue.eu.int/ueDocs/cms_Data/docs/pressData/en/gena/88200.pdf .

¹⁰³ HC Deb 7 February 2006, c737.

¹⁰⁴ 'Moscow courts Hamas in effort to revive Middle East influence', *The Times*, 17 February 2006.

Hamas now has more legitimacy than any ruling government in the Middle East. If you radiate hostility and negativity towards the outcome of the elections it will seem very perverse and it will colour and damage engagement in the Middle East.¹⁰⁵

Arab governments also expressed their bemusement at the position taken by the EU and US. The Saudi Foreign Minister Prince Saud al-Faisal commented:

The European Union insisted on having elections in Palestine, and this is the result of what they asked for. Now to come around, and say [they] don't accept the will of the people that were expressed through democratic means seem an unreasonable position to take.¹⁰⁶

Arab governments have reportedly been pressuring Hamas privately to moderate its position on the Oslo Accords and the peace process. Egypt and Saudi Arabia, in particular, urge Hamas to accept the Arab League peace initiative from March 2002, which offers full peace and recognition of Israel if it withdraws to its 1967 borders and accepts a just solution to the Palestinian refugee issue in accordance with General Assembly Resolution 194. Adopting that approach would put a Hamas-led Palestinian Authority in line with the Arab League and boost its standing internationally.

Implications of Hamas Victory

The shock about the victory of Hamas list has intensified the discussion on whether it was wise to allow the group to participate in the first place. However, amidst debate over the impact of the outcome of the vote it should not be forgotten that the right to elect ones government is a human right. Hamas represents an integral part of Palestinian public opinion and its participation was a pre-condition for making this a meaningful and pluralistic. Palestinians argue that Hamas' violence has generally not been directed against its Palestinian competitors at least not more than

¹⁰⁵ *Financial Times*, 30 January 2006.

¹⁰⁶ 'Hamas rejects 'unfair' aid demand', BBC News, 31 January 2006, http://news.bbc.co.uk/1/hi/world/middle_east/4664152.stm.

other armed groups, including those related to Fatah. Hamas 'external' violence against Israel is considered by most Palestinians as 'resistance'. Thus from an internal Palestinian view, there was no reason to prohibit Hamas from running, if these were to be genuinely competitive elections. For the outside world it is obviously more difficult to balance between the interest of pluralism and the liabilities of including political parties, which are at the same time armed groups propagating and perpetrating violence, including against civilians.

Regarding the instrumental aspect of its participation there has been at least one positive outcome was that Hamas agreed in the March Cairo meeting of Palestinian factions on a "state of calm" with regards attacks on Israel in exchange for participation in elections. Leaving aside the question of violence and the peace process, this could be a promising moment for the region: A relatively open, competitive election process administered by an independent election commission, in which the outcome is generally accepted and power transferred peacefully. While there have always been checks and balances in the Palestinian polity, these have been extra-constitutional, mainly achieved by competing armed groups and factions. The inclusion of Hamas could begin the process of bringing these checks and balances inside an institutional framework.

Political life could start stabilizing around two well-established parties and political ideologies: Fatah representing the nationalist-secular spectrum and Hamas Islamist beliefs. This would certainly be difficult, because Islamist parties will challenge part of what secular parties and the West consider to be key pillars of democracy, notably gender equality and separation of state and religion. On the other hand, Islamist trends are so powerful and representative that it may be preferable for these conflicts to be addressed inside a democratic framework and to find a political balance reflecting Muslim societies' brand of democracy.

The fact that Hamas carefully analyzed the electoral framework and developed a winning strategy is a positive sign of engaging in the democratic process. Hamas rejected the PA as a product of the Oslo agreement. Furthermore, this electoral engagement is consistent with the record of other Islamist parties in the region.

Hezbollah secured all seats in Shi'ite constituencies of Lebanon. Whether accepting election rules implies a long-term commitment to democracy remains an open question. It has to be seen how Hamas executes power and responds to possibly decreasing voters' support in the long-run. It is easy to appreciate democracy while winning election is another thing. Islamist parties argue that it is difficult to prove their democratic credentials if they are never given a chance. Hamas has its chance now, but will probably only succeed if it manages to turn internal democratic legitimacy into external legitimacy.

Conclusion

The fortunes of Hamas were affected by changes in the wider political opportunity structure. Hamas became more adept at carrying out resistance activities during the first Intifada and its political influence increased by the time Fatah embarked on the Madrid peace process in the wake of the 1991 Gulf war. Internally, Hamas was strengthened by its newfound proximity to the radical factions within the PLO. Reflecting both the greater heterogeneity and pragmatism within the organisation, and the weakened position of the Palestinian Left and following a series of prison encounters which had led to a mutual re-appraisal, Hamas joined the Left's alliance against the peace process. Although in practice this alliance meant little, at a symbolic level it marked the entry of Hamas into mainstream Palestinian politics. Until then, Hamas had operated outside, and often in opposition to the PLO. It had not been part of the United National Leadership of the Uprising which had orchestrated the PLO's strikes, and resistance activities, and had openly competed with it by declaring alternative strike days marking the Islamic calendar. On numerous occasions, activities from both sides had sought to disrupt the other's strikes, as the extent of a strike became a measure of political influence.

By 1992, Hamas was in a position to defeat Fatah electorally. In 1992, it won the elections for the Chambers of Commerce in Gaza, Hebron and even Ramalla, despite the latter being a Fatah stronghold and having a high proportion of Christian business. Fatah only narrowly achieved a victory in Nablus' Chamber of Commerce (by 3 per cent), and although it succeeded in winning elections for the engineers, physicians, and lawyers' associations in Gaza, it did so only by enlisting the support of the PLO's Left. In 1993, Hamas beat Fatah for the first time in the secular nationalist stronghold of Birzeit University, ending Fatah's sixteen-year dominance (Schad, 1994: 164). By 1993, Fatah, financially still vulnerable, faced the prospect of Hamas eclipsing it – which was one factor pushing Israel and Fatah into the Oslo process. In this sense, the Oslo agreement was in part a response to Hamas growing strength, and designed to enable Fatah to regain upper hand. Hamas' opposition to the agreement, though ideologically motivated, must be seen in this context.

The establishment of the PA particularly affected the balance of power between (quasi-) state and civil society – with significant consequences for Hamas. Most of the activities of the nationalist movement had been limited to civil society. Although these activities had been conducted under the auspices, and often with the funding, of the PLO, local civil society actors had been relatively autonomous from the Tunis-based external PLO leadership. With the return of the PLO's leadership to the territories, and its acquisition of quasi state structures in the areas under its control, the boundary between civil society and state began to blur. In addition, because much of the international aid was now channeled through the PA, “funding for civil society organisations dropped drastically. What funding was still available, became increasingly concentrated in the hands of fewer, professionalised NGO actors? The result was a weakening of civil society, and, because the new professional NGO actor was typically pro-peace and more connected to international aid circles than local civil society grassroots support for the NGOs withered.¹ Affiliated charities were the exception to this rule. Fatah and PLO affiliates were far less dependent on Western donors than the nationalist and leftist NGOs and could thus maintain greater level of autonomy vis-à-vis both the peace process and the PA.

Hamas had developed a network that surpassed that of the other factions in both size and efficiency. In a field where corruption was rife, Hamas' charities had established a reputation of accountability and transparency, ensuring enduring grassroots support and donations. This reputation also facilitated enduring regional support, which itself was a function of regional rivalries and opposition to Fatah or the peace process. Because the PA, for fearing of empowering local leaders, had decided not to use existing nationalist networks, instead opting to build a new parallel infrastructure. Hamas's ability to continue expanding its grassroots support through its charitable network was a major factor in its eventual electoral victory in 2006.

Hamas' consistent performance in the students and professional union elections had already enhanced its stature. Although Fatah sought to limit the

¹ Hilal, Jamil and Mustaq Khan (2004), State formation under the PNA' in Mustaq Khan George Giacaman and Inge Amundren eds. State formation in Palestine

opposition, it could not afford to end union elections or prevent the opposition from winning. Not only did the international sponsors of the peace process insist on expanding democracy inside the territories, but Fatah itself sought to legitimise its authority in the eyes of the Palestinians by invoking democracy. In addition, union elections had been a well-established practice in the territories. Fatah's leadership, which had been in exile for decades, maintained a careful balance between extending its control and maintaining local legitimacy. Although rich in symbolic capital, winning a union election brought little real power beyond the remit of the union. Fatah could thus afford to allow union elections to continue, and even to allow opposition factions to win. Because of the discrepancy between the security forces and Hamas' Qasam Brigades, maintaining public support (as measured in union elections and to a lesser extent in opinion polls) was paramount to Hamas' political survival. Lack of popular support for political violence was indeed one of the factors leading Hamas to focus on social and political activities towards the end of the 1990s, though the weakening of the Brigades also played a significant part.

Under the PA's autocratic structure and in the absence of municipal elections, Hamas lacked the opportunity to capitalise on its welfare network or its electoral wins in student and professional elections. Throughout the 1990s, Hamas continued to score low in opinion polls, though actual support was arguably higher than the average of 18 percent returned in the polls. Support in student and professional unions was much higher – in the West Bank, Hamas won more student elections than it lost in the main universities but this did not translate into actual power. The one opportunity to participate in national elections – the one-off 1996 legislative elections – Hamas decided, against strong internal opposition, to boycott, fearing both that participation would legitimise the peace process, and that the PA would not allow Hamas to win a significant share of the vote.

Hamas' victory in the 2006 legislative elections was the outcome of a changed political opportunity structure. Fatah had been weakened by a number of factors.

- Corruption, nepotism and an autocratic style of governing meant that by the end of the 1990s, the PA had lost much of the popular goodwill it had received upon its arrival.
- The Oslo process, meanwhile, had become thoroughly discredited further undermining Fatah's authority. Not only had it not brought the promised prosperity – by 2000, many believed themselves worse off economically after Oslo than before – it had also not appeared to lay the foundations for a credible two-state solution. Between 1994 and 2000, the number of Israelis settling in the occupied territories had tripled, while the Israeli government had confiscated land worth over \$1 billion to facilitate the expansion and accessibility of Israeli settlements.
- Unemployment meanwhile had increased nine-fold between 1992 and 1996, while the Gross National Product had decreased by 18 per cent. There was a brief upsurge in the economy towards the end of the 1990s. But by mid-2000, approximately one in five Palestinians lived below the 'poverty line', defined as "a household with two adults and four children with a yearly consumption of less than \$2.10 per day".
- One of the factors shaping the 2004-6 elections was precisely the lower middle classes' opposition to the PA's monopolies policy, and a reaction to the effects of the PA's corruption and nepotism on their business opportunities. Even those who were less dependent on the PA because they received international aid directly resented the PA's repeated attempts to circumscribe their autonomy. Hamas could, and did, capitalise on this.

All this radically changed political opportunity structure strengthened the hands of those within Hamas who advocated electoral participation. Participation in the municipal elections was not part of the Oslo process. But the question of participation in the second legislative elections re-opened the debate preceding the 1996 elections. By then, the Oslo process was all but dead. Participation in the legislative elections could no longer be regarded as a legitimisation of Oslo. With Arafat gone, Fatah in disarray, and Hamas scoring only marginally less than Fatah in

opinion polls, the chances of securing a significant percentage of the vote had increased drastically. Meanwhile regional support for continued resistance was moreover looking shakier than ever, with both Syria and Iran weakened by a variety of factors. Hamas won the debate against the absolutists among the 'radicals' and the hard-line 'ideologues'. Hamas' gains in the municipal elections in which it typically received a third of the vote only served to strengthen their hands.

Hamas' 2006 election victory was, however, also a function of longer-term socio-economic and structural changes. The socio-economic shifts of the 1970s had continued, although muted by the outbreak of the first *Intifada* and the economic downturn of the 1990s. Many of the lower middle classes continued to send their children to university – the number of university students more than doubled between 1994 and 1999² – thus steadily increasing the pool of available activists. The 1990s furthermore saw the expansion of the middle classes. Yet, this expansion was not translated into autonomous political influence, as the middle classes became increasingly dependent on the PA's overall weakening enabled the middle and lower middle classes to express their resentment towards the PA more openly. Hamas, meanwhile, was in a position to offer a credible alternative, building on a record of efficiency and accountability, and a decade of relative autonomy from the PA.

The failure of Oslo to halt Israeli settlements and improve the Palestinian economy had furthermore made Hamas' principled opposition to the peace process more popular. The al-Aqsa *Intifada* and Israel's subsequent 2005 withdrawal from the Gaza Strip had fuelled the belief – already on the rise since Israel's May 2000 withdrawal from Lebanon which Palestinians believed was the result of Hezbollah's armed campaign – that violence was necessary to force Israel into concessions. Thus, Hamas could not just build on its social services record, but its resistance record was also seen by a significant number of Palestinians as having done more for Palestinian state-building than the peace process. Hamas' decision to abide by a ceasefire from early 2005 onwards meanwhile re-assured those in favor of a two-state solution that Hamas would not insist on continued resistance once a two-state solution acceptable

² See Hilal Khan (2004), P.92.

to a majority of Palestinians had been achieved, enabling them to vote for Hamas for domestic reasons. Hamas's decisions to downplay its long-term goal of total liberation in the lead-up to the elections facilitated this process.

Hamas won the 2006 election in part because it succeeded in mobilising middle and lower middle classes, well beyond its core Islamist and anti-peace process constituencies. Its ability to benefit from the above opportunities was enhanced by its social network, its newly acquired access to municipal institutions and the exposure this gave it to wider society. But it was also a function of its attitude towards consultation, and a decade of experience in securing electoral victories at union level amongst heterogeneous constituencies. Far more so than Fatah, Hamas focused its energy on canvassing people's opinions, and fine-tuning its election message accordingly.

By the way of summary, this study highlights the following themes:

- First, Hamas is to a large extent a product of its environment. The timing of its emergence, where it emerged, and how it evolved can in part be explained with reference to changes in the wider political opportunity structure. This is not denying the role played by activists in affecting this opportunity structure and making the choices that they did. The Brotherhood's decision in the late 1970s and early 1980s to hold internal elections, for instance, was facilitated by external changes, such as the emergence of a university educated, more autonomous lower middle class, and the introduction of elections in professional and student unions. But equally important was the leadership's decisions to actively embrace this practice, rather than pandering to the more radical amongst the activists who, around that time, approvingly quoted the argument that "all attempts to reconcile, synthesise or bring into harmony the notions of nationalism, socialism, capitalism, democracy and Islam, even if this is done in the name of Islam, must be rejected. Fatah's lack of moral leadership, and contradictions within the process, also played their part. But Hamas' evolution cannot be fully understood outside the context of wider socio-economic and political changes.

- Second, both in terms of the wider structures which have helped shape it, and its internal dynamics, Hamas is subject to a number of conflicting pressures. The tensions that emerged during the 1990s between internal and external, political and ‘paramilitary’, and different wings of the political leadership still haunt Hamas, and go some way in explaining why Hamas has been unable to act more decisively in the wake of its electoral victory. Similarly, a fundamental tension exists between Hamas focus on institution-building and its commitment to armed struggle. At one level, the two reinforce each other, since both serve as recruiting agents and increase the organisation’s overall political profile. At another level, though they contradict each other, as presaged by the reluctance of Brotherhood leadership to engage in armed struggle in the 1980s. In the same vein, Hamas’ refusal to recognise Israel since coming to power in January 2006 has prevented it from honoring its domestic promises of increasing overall social welfare because of the international boycott that has been the response to its refusal.
- Finally, if democratisations and social movement theories are to be believed. Hamas’ participation on electoral structures is likely to have affected its members’ attitude to democracy. Repeated participation in social practices can induce a favorable disposition towards such practices, even if they have been entered for purely tactical reasons. Given that Hamas has participated in elections even before its inception, both internally and within the wider Palestinian arena, one can expect members to have been socialised, at least to some extent, into the principles of electoral competition and representative authority. However, since Hamas has simultaneously continued to be involved in political violence, its commitment to peaceful resolution of differences raises serious doubts both within Palestine and without. Given its involvement in religious structures, and the conservative background of many of its activists, tension is also likely to arise between Hamas’ commitment to democracy on the one hand and its pursuit of Islamist agenda although commitment to the latter is one of the factors driving Hamas’ commitment to democracy.

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www.peacenow.org/

Arab Association for Human Rights

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www.arabhra.org

Arabnet

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Arab Studies Society -Palestinian

www.orienthouse.org/arabstudies/

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Association for Civil Rights in Israel

www.nif.org/acri

. BADIL: Resource Center for Palestinian Residency and Refugee Rights

www.bagil.org/

BBC World Service Middle East page

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B'Tselem – the Israeli Center for Human Rights in the occupied territories www.btselem.org

Center for Economic and Social Rights

Independent U.S. Foundation

www.cesr.org

Center for Policy Analysis on Palestine

(Palestine Center Washington D.C. – based: publishes information briefs, policy briefs, special reports, and occasional papers)

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Center for Palestine Research and Studies

www.cprs.palestine.org.

Central Election Commission (CEC)- Palestine

www.elections.ps/English.aspx

Challenge

Israel monthly journal – progressive

www.hanitzotz.com/challenge/

Chicago Tribune Online

www.chicagotribune.com/

CNN Online

www.cnn.com

Complete Guide to Palestine's Websites

www.birzeit.edu/links/glance.html

Council for Palestinian Restitution and Reparation

<http://righttofreedom.org/>

Financial Times (London)

<http://news.ft.com/>

Foundation for Middle East Peace

Independent U.S. group that monitors settlements in the Occupied Territories

www.fmep.org

Friends of Al-aqsa (London)

www.aqsa.org.uk/

Ha'artez

The Premier Israeli newspaper

www.haaretedaily.com/

Hamas officially Web

(Ezzedeen Al-Qassam Brigades- Palestine)

www.alqassam.ps/english

The Independent (London)

[http:// www.independent.co.uk](http://www.independent.co.uk).

Independent Palestinian Information Network (Infopal)

www.infopal.org/palnews

Institute for Palestine studies

Publishes the Journal of Palestine Studies

www.ipsjps.org/

Institute of Jerusalem studies (Jerusalem)

Palestinian affiliated with the institued for Palestine studies, Washington, D.C.

www.cais.net/ipsjps

International Herald Tribune Online

[www/iht.com/](http://www.iht.com/)

Internet news

News and articles from Norwegian website dagbladet, translated into English

www.internews.org/

Islamic Association for Palestine

www.iap.org/ or www.iapinfo@iap.org

Israeli defense force

www.idf.il/English/news/nifg.stm

Jerusalem post online

Israeli daily newspaper, English

<http://jpost.com>

Jerusalem Quarterly File Online

Palestinian

www.jqf-jerusalem.org

Jerusalem Report

Israeli, English, biweekly

<http://www.jrep.com/>

Jerusalem Watch Online

Palestinian

www.jerusalemwatch.org/

Jordan Times online

Amman, Jordanian daily, English

www.jordantimes.com/

LAW (the Palestinian Society for the protection of Human rights and the environment)

www.lawsociety.org

Middle East Intelligence Bulletin Online

www.meib.org/

Middle East International Online (London)

Biweekly independent news on the Middle East

<http://meionline.com/>

Middle East Quarterly Online

Published by the Middle East Forum, pro-Israel

www.meforum.org/meq/

Middle East Report Online

<http://www.merip.org/mero.html>

Middle East Review of Internal Affairs Online

Online journal providing news, translations from Arabic, and references, pro-Israel

www.biu.ac.il/SOC/besa/meria/

Middle Eastern Studies Online

Academic Journal

www.frankcass.com/jnls/mes.htm

The Observer (London)

<http://observer.co.uk/>

Palestine Center

News, information, statistics, analysis

www.palestinecenter.org

Palestine information (London)

www.palestine-info.co.uk/mainframe.htm

Palestine Liberation Organization

www.plo.org

Palestine News Agency – Wafa

Official news agency of the Palestinian Authority

<http://www.wafa.pna.net/>

Palestine Refugee Research net (McGill University)

www.arts.mcgill.ca/MEPP/PRRN/prfront.html

Palestinian Academic Society for the Study of International affairs
(PASSIA)

www.pasia.org/

Palestinian Center for Human Rights

www.pchrgaza.com

Palestinian Center for Peace and democracy

Canadian NGO in Jerusalem

www.arts.mcgill.ca/MEPP.ngoproject/pcpd.html

Palestine National Authority

www.pna.org/

Ramallah Online

News, media reviews, political analysis

www.rama'lahonline.com/

The Struggle

Publication of Middle Crisis Committee

www.thestruggle.org

Palestinian report Online

<http://www.telegraph.co.uk/>

Times (London)

<http://www.timesonline.co.uk/>

