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HAMAS BETWEEN VIOLENCE AND PRAGMATISM

by

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June 2009

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HAMAS BETWEEN VIOLENCE AND PRGMATISM

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ABSTRACT

Far from being solely a terrorist organization, Hamas is a heterogeneous movement, which has situational awareness and uses violence or political participation after a cost-benefit analysis. Hamas' main objective is to stay in power and preserve its identity. Hamas is unlikely to publicly reject its ideology. Two opinions about Hamas are prevalent. On the one hand, Hamas is assessed as a radical terrorist organization. The policy implication of this first opinion is simple: Hamas cannot be reformed and will continue to use violence. Therefore, Hamas must be neutralized. On the other hand, Hamas is assessed as a social movement, which does not necessarily need to use violence. This school of thought assesses Hamas as a movement that can learn to refrain from violence. The policy implication of this position is that Hamas' inclusion in politics supports the process of moderation of Hamas into a non-violent organization. Both policies proved either to be ineffective or imply risks. This thesis asserts a middle position. Hamas' decisions to act depend on two factors. First, its internal situation is of importance. Second, and even more important, the political and situational circumstances on the ground in Palestine have a strong impact on Hamas. The middle position implies that the situation on the ground can be influenced in a way that may give Hamas little or no incentive to use violence.

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LIST OF ACRONYMS AND ABBREVIATIONS

European Union	EU
Israeli Defense Forces	IDF
Muslim Brotherhood	MB
Popular Front for the Liberation of Palestine	PFLP
Palestinian Islamic Jihad/ Islamic Jihad	PIJ
Palestinian Legislative Council	PLC
Palestine Liberation Organization	PLO
Palestinian National Authority	PA
Russia	RUS
Social Movement Organization	SMO
United Nations	UN
United States of America	USA

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I.   INTRODUCTION

A.   OVERVIEW AND HYPOTHESIS

In 2006, Palestinians conducted the first free elections for the Palestine National Authority (PA). Few expected Hamas to win the landslide victory the world observed in the elections. Western diplomats had assessed Hamas as a radical Islamic organization preferring violence rather than political participation to pursue its goals. Despite this presumption, Hamas won 76 of 132 seats in the government, ending Fatah's domination of the PA.[1] In the aftermath, Hamas and the Fatah dominated the PA and shared a short period of cooperation before tensions between the two factions led to the violent outbreak of factional struggle. Hamas established a one-party regime in the Gaza Strip, routed the Fatah from the Strip and contained other competitors, while the PA and Fatah governed the West Bank.[2] The operation "Cast Lead," conducted by the Israeli Defense Force at the end of December 2008 to January 2009, was the latest effort to deal with Hamas in a military operation in order to weaken Hamas and end its rule over the Gaza Strip.[3] The

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[1] Menachem Klein, "Hamas in Power," *The Middle East Journal* 61, no. 3 (Summer 2007), 442.

[2] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza* (Gaza City/ Ramallah/ Brussels: International Crisis Group [2008]) (accessed September 18, 2008).

[3] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza* (Gaza City, Ramallah, Jerusalem, Brussels: International Crisis Group [2009]), 20; Jeffrey White, "Operation 'Cast Lead': Israel's Assault on Hamas," Washington Institute for Near East Policy, http://www.washingtoninstitute.org/templateC05.php?CID=2976 (accessed January 4, 2009); Mohammad Yaghi, "The Impact of the Gaza Conflict on Palestinian Politics," Washington Institute for Near East Policy, http://www.washingtoninstitute.org/templateC05.php?CID=2978 (accessed January 4, 2009).

operation ended in a shaky truce with Hamas beaten but not defeated.[4] Some analyses assess Hamas to be more powerful after the operation.[5]

Two opinions about Hamas are prevalent. On the one hand, Hamas is assessed as a radical, terrorist organization. This opinion defines Hamas as an organization that will always resort to violence and is hostile to every peace process. In this line of thought Hamas will always adhere to its agenda to annihilate Israel, which makes any moderate approach impossible.[6] The international community follows this "prevailing image of Hamas as an ideologically intransigent and political rigid movement, ready to pursue its goals at any cost, with no limits or constraints."[7] The Middle East Quartet (the United Nations, UN, the European Union, EU, the Unites States of America, USA, and Russia, RUS), formed in 2002 to solve the conflict, still follows this approach. The Middle East Quartet refuses to cooperate with Hamas considering it to be a terrorist organization.[8] They try to isolate Hamas in the Gaza Strip and focus any negotiations on president Mahmoud Abbas.

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[4] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 8; BBC News, "Israel 'to Announce Gaza Truce'," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7835364.stm (accessed January 30, 2009); BBC News, "Hamas Announces Cease Fire in Gaza," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7836205.stm (accessed January 29, 2009); BBC News, "UN 'Shocked' by Gaza Destruction," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7846625.stm (accessed January 30, 2009).

[5] Zvi Bar'el, "Through the Eyes of a Squad Leader," *Haaretz*, http://www.haaretz.com/hasen/spages/1052351.html (accessed January 5, 2009); BBC News, "Who Will Rebuild Gaza?" BBC News, http://news.bbc.co.uk/2/hi/middle_east/7856011.stm (accessed January 29, 2009); Oded Eran, "Operation Cast Lead: The Diplomatic Dimension. Strategic Assessment, Volume 11, no. 4, February 2009," Institute for National Security Studies, http://www.inss.org.il/publications.php?cat=21&incat=&read=2651 (accessed February 18, 2009).

[6] Walter Laqueur, *Voices of Terror: Manifestos, Writings, and Manuals of Al Qaeda, Hamas, and Other Terrorists from Around the World and Throughout the Ages* (New York, NY: Reed Press, 2004), 434–438; Barry Rubin, "Setting U.S. Policy Toward Hamas" In *Prevent Breakdown, Prepare for Breakthrough: How President Obama can Promote Israeli-Palestinian Peace*, ed. David Pollock, Vol. Policy Focus no. 90 (Washington D.C.: The Washington Institute for Near East Policy, 2008), 19; Matthew Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad* (New Haven: Yale University Press, 2006).

[7] Shaul Mishal and Avraham Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence* (New York: Columbia University Press, 2000), vii.

[8] Nathalie Tocci, "The Impact of Western Policies Towards Hamas and Hezbollah: What Went Wrong?" In *Political Islam and European Foreign Policy: Perspectives from Muslim Democrats of the Mediterranean*, eds. Michael Emerson and Richard Youngs (Brussels: Centre for European Policy Studies, 2007), 139.

On the other hand, Hamas is assessed by scholars and political experts on the Middle East as a social movement, which does not necessarily solely need to use violence. Hamas' roots lie with the nonviolent approach of the early Muslim Brotherhood (MB), to change society by education; and Hamas has devoted a great deal of energy recently to contesting elections peacefully.[9] This implies that Hamas is not inextricably bound to violence, but to the support of the people, and thus can and does change its tactics and stances. While adhering to its radical agenda, the organization is able to combine that agenda with strategic thinking and pragmatic politics. From this perspective, Hamas is an organization that is driven by cost-benefit analysis, strategic assessments, and pragmatism. As a consequence, negotiations with the group are useful and necessary.

Both perspectives emphasize only a particular part of Hamas, either its use of violence or its political development. But Hamas must be analyzed and understood by the complexity of its organization and the interdependency of its actions to internal and external influences. Therefore, it is important to pose the following questions:

- What are the domestic, international, and internal organizational factors that shape Hamas' behavior and lead to either pragmatic non-violent action or the use of violence?

- Is Hamas' ideological movement driven by absolute religious principles that cannot be compromised, or is it a pragmatic organization capable of justifying compromise even on a seemingly immutable doctrine?

The major players in the Middle East Peace process, the United States, Europe, and Israel, reject negotiation with Hamas as an official Palestinian faction. Although Hamas gained its political position in official elections, Hamas is seen as a terrorist group. The isolation approach by the United States, Europe, and Israel, which aims at the neutralization of Hamas and the support of the PA under President Abbas, is failing. Not

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[9] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 16.

only is Hamas still in power and controlling the Gaza Strip, the isolation favors the hardliners in the Hamas leadership and accelerated the internal political division of Palestine.

This thesis argues that assessing Hamas solely as a terrorist organization does not take the real nature of this movement into consideration. Hamas is a dynamic social movement that is shaped by, and responsive to, changing circumstances in both its violent and political facets. Participation in the 2006 elections shows that Hamas does not solely adhere to violence, but also uses pragmatic politics by which the group conducts situational and strategic assessments of internal Palestinian politics and of the nationalist struggle. It is possible, as well, for the Middle East Quartet and for Israel, to approach Hamas in dialogue, whether directly or indirectly. This opens a window of opportunity for reaching agreements and progress in the peace process.

A review of the available analyses of Hamas, and the current developments, shows that Hamas is capable of political participation and refraining from violence. The question is how to foster the more moderate tendencies in the inner factions of Hamas, along with how to cope with its maximalist position of "no peace with Israel." Hamas' history up to its current ascendance to power shows that the use of violence as well as political participation are strategic options. The author asserts that these actions are due to Hamas' situational awareness and strategic assessments based on rational decision making. This thesis shows that Hamas acts on the basis of pragmatic decisions, not blind adherence to an absolute ideology. The implication of this analysis is that dialogue with Hamas is possible, which, in turn, could possibly facilitate the organizations rejection of violence and embrace of moderation.

The thesis analyzes Hamas' organizational behavior and its leadership in order to understand under what circumstances Hamas' leaders tend to favor pragmatic politics. It investigates Hamas' internal structure and networks as well as the divisions between internal and external leadership. The thesis identifies how Hamas negotiates and decides its political aims, strategy and tactics. Furthermore, the analysis will identify which internal groups have what influence on the organization's course of action. The internal balance of power is dependent on external factors as well. "Hamas' ideology and political

practice also are shaped by international and regional circumstances."[10] The international circumstances can be described with the attempts of negotiation and peace talks, like the 1993 Oslo Peace Accord, or the 2006 isolation attempt and its impact on Hamas and its course of action, up to the recent escalation. Examples of the internal circumstances that influence Hamas are the competition with other factions and groups, like Fatah or the Islamic Jihad, as well as living conditions on the ground and public political opinion. The thesis analyzes Hamas' history from 1987 to 2009. Its history is divided into key episodes, which are treated as cases subject to analysis. The objective is to analyze each case to determine the key factors that shape Hamas' decision making.

B.   HISTORICAL OVERVIEW

Hamas was founded in 1987 as a response by parts of the Palestinian Muslim Brotherhood (MB) to the first intifada.[11] Created by MB leaders under the lead of Sheik Ahmad Yassin as a militant organization arm to participate in the intifada, Hamas soon matured into an independent organization.[12] Its charter claims an independent Palestinian state and the destruction of Israel. The organization's main domestic Palestinian source of support is the public; this is the critical requirement for the organization's survival, because it is a broad-based movement. The external source of support is the recognition and support from regional regimes like Iran's. With the beginning of the Oslo Peace Process in 1993, Hamas adapted its behavior to the circumstances. Decisions were no longer driven by an adherence to violence, but by analysis of the requirements needed to maintain the gained position in the Palestinian political sphere. Additionally, Hamas began to evaluate political participation. However, it decided to take an opposition stance against the Oslo Peace Accord, Arafat, the PLO, the Fatah, and the newly formed Palestinian Authority in order to avoid the risk of being marginalized by the PA. In its position, Hamas was in competition against the other Palestinian factions for power. This

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[10] Khaled Hroub, *Hamas: Political Thought and Practice* (Washington, DC: Institute for Palestine Studies, 2000), 254.

[11] See Appendix A for a chronology of the events.

[12] Hroub, *Hamas: Political Thought and Practice*, 34–35.

competition for power strongly influenced Hamas' behavior in future events. Nonetheless, Hamas limited its violence thereby coping with the strong public support for the peace process. When the second intifada broke out in 2000, Hamas reengaged in violence with full force including suicide attacks. Still, Hamas did not use violence against Israel only for the sake of violence. Hamas matured from an armed resistance organization to a political factor. During the second intifada, Hamas could gain more power from violence than from political participation. This began to change with Arafat's death in 2004 and the vacuum of Palestinian political leadership. Hamas' main competitor, the PA and Fatah, were weakened by inner division, corruption, political inability and declining public support. Hamas engaged in political participation and won the 2006 elections with its own political party. After Hamas entered the administration, it had to deal with governance and the responsibilities of a government. Hamas, as a new political factor, was rejected by Israel and the Middle East Quartet. They tried to neutralize Hamas by isolating it in the Gaza Strip, preventing any form of governance or economic viability and turning the public against Hamas, while at the same time supporting the PA. To defend its position, Hamas decided to use violent actions against Fatah and the PA. Hamas routed the Fatah and the PA from the Gaza Strip. This led to the separation of Palestine into the Gaza Strip, controlled by Hamas, and the West Bank, controlled by President Mahmoud Abbas and the Fatah. In between, Hamas tried to cope with the isolation approach, govern the Gaza Strip and improve living conditions.[13] The isolation approach failed and Hamas remained in power.[14] The blockade of Hamas' attempt to govern, and the deteriorating economic situation on the ground moved Hamas

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[13] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza.*

[14] Khalil Shikaki, "With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process," *Brandeis University Crown Center for Middle East Studies*, no. 1 Crown Center Working Papers (February 2007), 7; Sherifa Zuhur and others, "Hamas and the Two-State Solution: Villain, Victim Or Missing Ingredient?" *Middle East Policy* 15, no. 2 (Summer 2008), 11; Palestinian Center for Policy and Survey Research, "Palestinian Public Opinion Poll no. 29," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2008/p29e.html (accessed September 19, 2008).

again towards the use of violence.[15] Inside Hamas, the momentum shifted from the moderate leaders, who were more willing to participate in politics, to the hardliner leaders, who more willing to use violence in order to maintain the movement's position.[16] This led to a renewed increase of violence and to the Israeli response; operation "Cast Lead," from December 2008 until January 2009. The operation degraded Hamas' administrative infrastructure for ruling the Gaza Strip and its militant capabilities, but it neither deprived Hamas of power nor did it leave Hamas non-operational.[17] Still, Hamas is a political power that must be dealt with in order to revitalize the peace process.

C.   LITERATURE REVIEW

The policy and academic literature house two very different views about the nature of Hamas and the kinds of diplomatic strategies most appropriate for dealing with the group. One school of thought labels the group as a terrorist organization whose desire for the elimination of Israel and embracing of violence pose insurmountable obstacles to the Middle East Peace process. A second school of thought stresses the complexity of the heterogeneous organization as a social movement; its decision-making process between hardliner and moderate leaders, and their internal rivalries; it portrays Hamas as a pragmatic organization not committed to violence by nature. In this assessment, Hamas is a social movement that can be included in negotiations, which is indispensable to an improvement in the peace process.

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[15] Bernard Gwertzmann, "Israel–Palestinian Crisis Explodes Onto Obama's Agenda," Council on Foreign Relations, http://www.cfr.org/publication/18080/assessing_the_gaza_flare_up.html?breadcrumb=%2F (accessed January 4, 2009); Bar'el, *Through the Eyes of a Squad Leader*, 1; Yaghi, *The Impact of the Gaza Conflict on Palestinian Politics*; International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 3, 10.

[16] Khaled Hroub, "A New Hamas through its New Documents," *Journal of Palestine Studies* 35, no. 4 (2006), 27; Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 8–9, 16; Jörg Bremer, "Der Angriff Begann Mit Dem Ende Des Gottesdienstes," *Frankfurter Allgemeine Zeitung*, sec. 1 D3, Monday, December 29, 2008, 3; Matti Friedman, "Hamas Tells Fighters to Hold Fire for 24 Hours; Faction Says Truce could be Renewed; Israel Signals Readiness to Move into Gaza," *The Washington Post*, December 23, 2008.

[17] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 20; BBC News, *Hamas Announces Cease Fire in Gaza*; BBC News, *Who Will Rebuild Gaza?*

Those who assess Hamas as a terrorist group, which cannot be reformed, point to three factors. First, Hamas is used by Iran as a proxy to support the containment of Israel. Second, Hamas is a militia organization that is bound to its religious doctrine and uses its organizational structure for maintaining its struggle against Israel. Third, Hamas is a cohesive organization which uses its political and social wings only to support, legitimize, and cover its conduct of terrorist attacks against Israel. In the first category analyses like those of Gawdat Bahgat, Eli Bermann, and Matthew Levitt can be found.

Gawdat Bahgat focuses on Iran as a source of support for Hamas' terrorist activities. He admits that Iran is not Hamas' primary base of funding but that the two leaderships have close ties to each other.[18] Baghat assesses that Iran might not reject a Palestinian Israeli peace, but nonetheless uses Hamas to keep Israel focused away from Iran.[19] His assessment shows the Iranian support for Hamas, but ignores the complexity of Palestinian politics. Iranian support certainly helps Hamas, but it cannot explain why Hamas uses violence as well as political participation.

Eli Berman uses an economic approach to analyze Hamas. In his assessment, Hamas is a militia group based on radical Islam which turned violent and which can be contained by economic means.[20] He characterizes Hamas as "highly ritualistic" and "extremely conservative."[21] In this assessment, Hamas, as a militia organization, is bound to violence due to its character. Its ideology of armed combat against Israel prevents Hamas from using politics.[22] The organization is developed to maintain this combat.[23] While Berman's model can explain how a resistance organization can maintain its struggle, it does not explain Hamas' particular behavior in the course of events. His study

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[18] Gawdat Bahgat, "Terrorism in the Middle East," *The Journal of Social, Political, and Economic Studies* 32, no. 2 (Summer 2007), 174–175.

[19] Ibid., 175.

[20] Eli Berman, *Hamas, Taliban, and the Jewish Underground: An Economist's View of Radical Religious Militias* (Cambridge, Mass: National Bureau of Economic Research, 2003), 3, 10.

[21] Ibid., 4.

[22] Ibid., 26.

[23] Ibid., 11–15.

considers only the violent actions of Hamas and cannot explain Hamas' political activities. The conclusion, that Hamas is a purely militia organization, is misleading because the implication is that Hamas cannot be included in politics. His focus on Hamas as a religious sect neglects the fact that Hamas' activities do not necessarily follow only religious considerations.

A more detailed analysis is provided by Matthew Levitt. He provides a deeper analysis of Hamas as an organization. The study uncovers Hamas' roots in "da'wa," the Muslim Brotherhood's aim to reshape society to an Islamic "mindset" by education and influence through social institutions. Levitt claims that Hamas' charity institutions provide the basis for the terrorist activities, but provide no opportunity to initiate the moderation of Hamas.[24] Although Levitt describes the split of Hamas' leadership into two factions, the hardliners and the moderates, he argues that Hamas will adhere to its armed struggle.[25] By his logic, Hamas' complex organization is aimed only to cover and support its attacks against Israel. Hamas' leaders are obliged to continue the armed combat.[26] Hamas' different social institutions and its political wing are used only to cover its terrorist activities.[27] The social institutions provide the funding and the cover for the organization's terrorist cells, whereas the political part of the organization grants legitimacy or position to provide terrorists with official functions and influence.[28] The fact that Hamas won the 2006 elections must be understood in the context of the deteriorated situation in Palestine and as a protest against the PA, not as an attempt of Hamas to actively participate in politics.[29] Levitt's argument is that the hardliners will prevail in their adherence to violence. Similarly, Ambassador Ross supports the argument that "Hamas is bound to seek help from the international community to produce societal

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[24] Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 39.

[25] Ibid., 49.

[26] Ibid., 1.

[27] Ibid., 5.

[28] Ibid., 6–7.

[29] Ibid., 6.

renewal even while it resists all efforts to get it to give up its principle of rejection of Israel and promotion of violence… Will it transform itself? Unlikely….”[30]

Levitt's and Ross' arguments are typical of those that drive the current approach to the Middle East Peace Process. Hamas is defined as an obstacle, and the approach is the attempt to crack down on Hamas and neutralize it.[31] Furthermore, Hamas is assessed as an organization that might gain the capabilities to "target the West" too.[32] While this approach acknowledges that Hamas has a complex and heterogeneous structure, it does not take into consideration that Hamas' decision-making process is also pragmatic under certain circumstances and does not necessarily lead to military or terrorist action. More than that, Levitt's assessment does not take into account that Hamas' course of action is interdependent of the PA and Fatah, which are assessed to be just as unable to employ governance.[33] The isolation approach is increasing the hardship of the Palestinian citizens.[34] Additionally, polls taken of the perception of Palestinians show that Hamas is not blamed.[35] Therefore, it is questionable if an attempted crackdown of Hamas will lead to its neutralization, or bolster its reputation as a supporter of the Palestinians, while Israel and the international community are blamed as the aggressors. Such an approach will foster Hamas' adherence to violence.

The policy implication of this first school of thought is simple: Hamas cannot be reformed into a political party and will continue to use violence. Therefore, Hamas must be neutralized in order to achieve any progress in the peace process. Recent policy

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[30] Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, x–xi.

[31] Matthew Levitt, "Hamas in the Spotlight," *The Washington Institute for Near East Policy* (2008), http://www.washingtoninstitute.org/templateC06.php?CID=1137 (accessed August 23, 2008), 236.

[32] Matthew Levitt, "Could Hamas Target the West?" *Studies in Conflict & Terrorism* 30, no. 11 (November 2007), 925.

[33] Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 231.

[34] Jeremy Maxwell Sharp, *Lebanon: The Israel-Hamas-Hezbollah Conflict* (Washington, D.C: Congressional Research Service, Library of Congress, 2006), 4.

[35] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 7.

followed this implication, both with the Quartet's and Israel's isolation attempt, and with Israel's operation "Cast Lead." Both attempts, neutralization by force or isolation, proved to be insufficient to deal with Hamas.

A second school of thought reveals Hamas' ability to learn and to develop new strategies.[36] Hamas' critical capacity to maintain a powerful position is based on public support. Throughout the course of events, Hamas has pursued its goals not only by violence. After its foundation in 1987, Hamas' focus was the intifada. But, soon after, Hamas matured and separated from the MB and began to challenge the PLO in its superior positions in Palestine. When the PLO rejected violence and accepted the conditions of the Oslo Peace Accord in 1993, Hamas adhered to its original agenda and its struggle against Israel although it reduced its number of attacks and referred to them as defensive. The aim was to maintain and secure its own position in order to further compete with the PLO and especially with Fatah. Later, Hamas recognized the opportunities of political participation.[37] This led to the foundation of a political party, the participation in elections, and compelled Hamas to assume political responsibility. During the course of events, Hamas continued to maintain its social institutions. This short depiction of the historic landmarks shows Hamas' ability to adapt. Hamas uses participation, and negotiation, as well as violence to maintain its position.[38] When necessary, Hamas uses violence, but also participates in politics if it helps the movement to succeed. Thereby, a split from its original agenda is accepted by the leadership.

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[36] Timothy M. Bennett, *Violence and Institutionalization in Islamic Activism: Explaining Moderation* (Monterey, Calif: Naval Postgraduate School, 2006); Jeroen Gunning, *Hamas in Politics: Democracy, Religion, Violence* (New York: Columbia University Press, 2008); Hroub, *Hamas: Political Thought and Practice*; International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*; Klein, *Hamas in Power*; Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*; Glenn E. Robinson, "Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach" In *Islamic Activism: A Social Movement Theory Approach*, ed. Quintan Wiktorowicz (Bloomington, Ind: Indiana University Press, 2004); Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*.

[37] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 129.

[38] Ibid., 147.

Studies that analyze Hamas' actions after the 2006 elections prove this "willingness to change"[39] along with a change in behavior from violent struggle focused against Israel towards political decision making. Hamas' formation as an armed resistance movement followed historic developments.[40] Thus, Hamas' willingness to use violence is obvious, but meticulous analysis of the Hamas organization proves that it adapts to changing situations and is able to reform.[41] Hamas thinks pragmatically and wants to maintain its position in Palestine. As Jeroen Gunning shows in his 2008 analysis, Hamas uses violence to gain authority and sustain public support. Whenever the public supports violence, as during the first and second intifada, Hamas uses violence to support its aims because it can gain public support. Nonetheless, violence is not indispensable for Hamas' actions.[42] The developments between 2004 and 2008 prove that the use of violence depends on the circumstances.[43] During both intifadas, Hamas' radical agenda and its violence were the reasons for its popularity. However, the support for violence declined at the end of the second intifada and public support after the elections depended on Hamas' ability to govern. Therefore, Hamas adapted and changed its behavior. Gunning's assessment is supported by polls from 2008 that show public support for a peace process had increased and support for domestic violence had declined.[44]

Shaul Mishal and Khaled Hroub explain in thorough detail that Hamas is much more than merely a terrorist organization.[45] "The willingness…to take part in varying levels of state-controlled, limited democratic rule demonstrates the Islamists' conviction

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[39] Bennett, *Violence and Institutionalization in Islamic Activism: Explaining Moderation*, 59; William B. Quandt, "On the Peace Process in the Middle East," *Daedalus* 135, no. 2 (Spring 2006), 135.

[40] Gilles Kepel, *Jihad: The Trail of Political Islam* (Cambridge, MA: Harvard University Press, 2002), 324–325.

[41] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 123, 125.

[42] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 128.

[43] Ibid., 268.

[44] Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 29*.

[45] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*; Hroub, *Hamas: Political Thought and Practice*.

that they can gain influence and promote their objectives by operating within the existing political order. In this respect, Hamas…escaped a binary perception regarding their relations with their ideological rivals and political opponents."[46]

However, both studies also reveal Hamas' difficulties to adapt its maximalist position to current developments. Hamas is always striving to maintain its position. Therefore, it uses its radical agenda, together with violence, whenever these promise to further expand its power and public support.[47] But, Hamas is also able to adapt to new circumstances which can lead to nonviolent behavior. The problem for Hamas to adapt to such a position to a full extent is twofold. First, Hamas' leadership is comprised of a hardliner faction that maintains the radical agenda and prefers violence, and the more moderate leaders, who are more willing to engage in political participation.[48] This internal division and dispute about the course of action hampers an unambiguous position. Additionally, the maintenance of an armed wing must be seen from an inner Palestinian view. As long as Fatah and Hamas do not resolve their dispute, Hamas needs its armed wing to secure its position. Second, besides the maintenance of its position in Palestine, Hamas needs to preserve its identity as a resistance movement. This makes it difficult for Hamas to simply participate in politics which seems to be contrary to its objectives.

The findings of the studies of Gunning, Hroub, Mishal and the others, show that the use of violence depends on: the gain for the maintenance of the organization's power position in Palestine and the personal influence of the prevailing leadership, either the hardliners or the moderates, whoever dominates. Concerning the use of violence, Hamas differentiates between the use of force against Israel and its use in a domestic situation. A turn of Hamas towards pragmatic politics is not impossible. Hamas continuously adapts its politics to sustain the public support it needs to maintain its position in Palestine.

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[46] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*; Hroub, *Hamas: Political Thought and Practice*, 9.

[47] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence,* 94.

[48] Ibid., 73–76, 161, 163; Mouin Rabbani, "The Making of a Palestinian Islamist Leader: An Interview with Khalid Mishal: PART I," *Journal of Palestine Studies* 37, no. 3 (Spring 2008), 72.

Hamas depends on public support, mostly from the middle class.[49] Coping with public necessities requires Hamas to sustain that support. Polls also show that the support for violence is fluid in the Israeli-Palestinian conflict.[50] Therefore, Hamas' approach has to cope with this public perception, too. The importance of the public perception of the middle class is fostered by Claude Berebi's research that indicates most of Hamas' personnel descend from the middle class and joined Hamas because terrorism was "popular."[51] If the popularity of terrorism is declining, then Hamas will be compelled to change because, as a political party, it must cope with public opinion and necessities. This pattern can also be observed with other terrorist organizations like the IRA.[52] Taking these facts into consideration, the 2008 clashes between Hamas and Fatah can be assessed as an attempt to maintain the position gained in the elections. Violence was used because it was assessed as the best tool to reach that aim. This indicates that Hamas may resort to more pragmatic means if these pragmatic politics show success. The attempt to form a united government after the 2006 elections and the fragile truce from June until December were indicators. Additionally, post-election analysis proves that inner Palestinian cooperation and progress is possible. This chance was muted by the failing approach of the international community.[53] The last consequence of the international community's isolation led to repeated inner Palestinian violence and escalation in December 2008. The fact that Hamas' policies during the truce and isolation showed little or no success gave Hamas no incentive to refer to non-violent means. Moreover, it left the hardliner leadership in charge with the assessment that they could benefit more from a

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[49] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 257; Haim Malka, "Hamas: Resistance and Transformation of Palestinian Society" In *Understanding Islamic Charities*, eds. Jon B. Alterman and Karin Von Hippel (Washington, D.C: Center for Strategic and International Studies, 2007), 118–119.

[50] Khalil Shikaki, *Willing to Compromise: Palestinian Public Opinion and the Peace Process*, 158th ed. (Washington D.C.: United States Institute of Peace, 2006), 2.

[51] Claude Berrebi, "Evidence about the Link between Education, Poverty and Terrorism among Palestinians," *SSRN Working Paper Series* (March 2005), 20.

[52] Ibid., 6.

[53] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 16; Tocci, *The Impact of Western Policies Towards Hamas and Hezbollah: What Went Wrong?* 155.

military escalation than from declining public support of its governance.[54] Hamas hopes to take advantage of public opinion that turns against perceived Israeli aggression and can improve its status if it withstands the Israeli operation.[55] The demand of recent analyses for a new approach toward dialogue with and the integration of Hamas remain valid.[56]

The second school of thought assesses Hamas as an organization that can learn to refrain from violence. Indeed, studies like Gunning's or Mishal's show how Hamas changed its behavior through the course of events. The policy implication of this position is that Hamas' inclusion in politics will further support the process of moderation of Hamas into a non-violent organization. Nonetheless, like the first school of thought, which focuses only on Hamas' militant activities, the second school of thought focuses too much on Hamas' political development. It neglects the fact that Hamas is using non-violence as well as violent means in varying and changing ways. In the period from 2004 to 2008 Hamas never completely stopped its rocket attacks. A decline in violence must also be understood in the context of successful Israeli offensive and defensive countermeasures. Mere inclusion in politics is no guarantee that Hamas will completely refrain from violence.

This thesis asserts a middle position. Hamas' decisions to act depend on two factors. First, its internal situation and the leadership faction that dominates are of importance. Second, and even more important, the political and situational circumstances on the ground in Palestine have a strong impact on Hamas' decision to act. Hamas' use of violent or non-violent means is a response to the circumstances. The middle position implies that the conditions on the ground can be influenced, that the situation on the ground gives Hamas little or no incentive to use violence. The modalities of engagement

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54 International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 3–4; Yaghi, *The Impact of the Gaza Conflict on Palestinian Politics*.

55 International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 7, 11.

56 Barbara Crossette, "Send in the Diplomats," *The Interdependent*, no. 16 (Summer 2007), 10; Bassma Kodmani, "Clearing the Air in the Middle East," *Current History* 107, no. 709 (May 2008), 201; Sherifa Zuhur, *Hamas and Israel: Conflicting Strategies of Group Based Politics* (Carlisle, PA: Strategic Studies Institute United States Army War College [2008]), 63, 64.

do not only include Hamas in politics with talks, but also the shaping of the political environment in a way that would allow Hamas to redefine its resistant character or to accept the political conditions.

D.   METHOD AND SOURCES

In this thesis, Hamas' history is divided into key phases that are treated as cases. Each case will be explored regarding how the political context and internal organizational debates shaped Hamas' strategy. The goal is to assess if Hamas was driven by ideology alone or pragmatism. The analysis will include basic literature about social movement theory as well as studies based on collected and analyzed data about Hamas and the Middle East. The cited studies only partially cover the ongoing events as the Israeli-Palestine conflict is developing. Due to that fact, further sources have to include the latest articles in scholarly journals, such as the *Journal of Palestine Studies*, or the *Washington Institute for Near East Policies*. Furthermore, sources have to include surveys of the current situation, such as regular reports of the *International Crisis Group* or the *Palestinian Center for Policy and Survey Research*. Due to the topicality of the research question, the permanent survey has to include newspapers, too.

E.   THESIS OVERVIEW

This chapter gives an overview of the thesis approach. Chapter II analyzes Hamas' origins as a social movement and examines Hamas' organizational structure and its leadership. It is important to understand Hamas' roots and structure because it explains the ongoing process of Hamas' evolution. Like any social movement, Hamas reacts to political opportunities and is undergoing changes in its structure, goals, and aims. To understand Hamas' character as a social movement, it is necessary to understand how Hamas acts while maintaining its agenda. This background is important because it defines the way Hamas acts. The dichotomy between the ideological charter and the political practice of Hamas must be understood. While the ideological charter remains unchanged and calls for the annihilation of Israel, the political practice has been to pursue a long term strategy accepting a long lasting truce with Israel—which at least means

accepting the Israeli nation-state. This dichotomy between charter and practice is known. The different factions in Hamas are either trying to moderate this dichotomy or simply ignore this fact. This thinking and acting is important because it influences Hamas' decisions on how to proceed in Palestine. Furthermore, the understanding of the charter is important because its contents hinder Hamas from transforming itself completely. If Hamas were to accept Israel, Hamas would, in fact, give up its identity. This limits Hamas in its political scope, allowing only indirect acceptance. The organization's different wings and their leadership are interdependent of the ideology and its origins. As described, the leadership is divided into hardliners, more willing to refer to violence, and moderates, more willing to engage in politics. Depending upon which faction can gain dominance by exploitation of the situation, the course of action towards violence or pragmatic politics is influenced. The analysis has to include the different parts of the organization. The understanding of the organizational behavior is important because it helps to explain the impacts of external influences and the strategy Hamas has been following since the 2006 elections.

As mentioned, Hamas reacts to external influences because it has situational awareness. These circumstances have a strong impact on the dominating leadership faction and the selected course of action. Chapter III will examine Hamas' political practice by the use of six case studies. Hamas' decisions always reflect analysis of the current situation. This includes competition with Fatah for power. Both sides are trying to secure their positions in order to be in a favorable position to continue negotiations with each other. This chapter will combine the findings of the previous chapters. It will illustrate Hamas decision making and the tensions between ideology and the need for pragmatic politics, and how Hamas is balancing these two poles. By using the case examples, this chapter will show Hamas moving between violence and pragmatic politics.

Chapter IV will reach a conclusion. It will draw implications from the findings of the thesis. It will describe possible approaches to the situation in the Middle East and the peace process.

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II.   HAMAS' CHARACTER AND ORGANIZATIONAL STRUCTURE

Hamas developed as a social movement and built up its own structure and hierarchy. This influences its development and transformation as well as its actions today as a political power. Understanding Hamas' origins, and structure and how they influence decision making within Hamas is essential to understanding Hamas' contemporary positions, decisions and actions.

A.   SOCIAL MOVEMENT DEVELOPMENT

What are social movements? This analysis will refer to the following definition: A social movement is "collective challenges, based on common purposes and social solidarities, in sustained interaction with elites, opponents, and authorities."[57] Hamas is an Islamist movement. To further specify the term Islamist, another definition must be added: "By Islamist I mean individuals, groups, organizations, and parties that see in Islam a guiding political doctrine that justifies and motivates collective action on behalf of that doctrine."[58]

To become a movement, an organization must meet some requirements and prerequisites. There are several common requirements for a movement to develop and survive. Social movement is sustained contentious action. In order to achieve mobilization it needs other processes. In general, one can identify three processes: "political opportunities, mobilizing structures, and framing processes."[59] Mobilization occurs because people need a reason, a cause to mobilize and engage in actions against an opponent or a situation. In general, the trigger for such a cause is a change in an existing

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[57] Sidney Tarrow, *Power in Movement: Social Movements and Contentious Politics*, 2nd ed. (Cambridge UK: Cambridge University Press, 1999), 4.

[58] Mohammed M. Hafez, *Why Muslims Rebel: Repression and Resistance in the Islamic World* (Boulder, Colorado: Lynne Rienner Publishers, 2003), 4.

[59] Doug McAdam, John D. McCarthy and Mayer N. Zald, eds., *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings* (Cambridge England; New York: Cambridge University Press, 1996), 2.

society and political system.[60] In the Middle East, the model of Arab nationalism was not able to fulfill the expectations of the population, especially of the middle class.[61] This led to grievances and perceived deprivation. Nonetheless, change in society alone is not capable of explaining the emergence of movements. Mohammed M. Hafez shows that grievances only are not a cause for Islamist movements.[62] It can be said that grievances are the initiator. But, to successfully create a social movement, the initiator must be transformed into successful mobilization in the face of political opportunities.[63]

Political opportunities develop due to change in a situation. They can be described as an incentive to act in order to change one's situation.[64] The source of political opportunities can vary. It can be that the situation changes and opens up an opportunity to improve one's own situation, or that the situation on the ground is perceived as bad and an organization presents an opportunity for change to good.[65] In the case of the development of Hamas, the opportunity was opened by Israel, when it allowed the MB to compete with the PLO, and in the first intifada.

Mobilizing structures are necessary and used to bring people together to engage in collective action.[66] Like political opportunities, they can vary and fulfill different tasks. As Hafez describes,[67] mobilizing structures are needed to provide a space to assemble

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[60] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 115.

[61] Adeed I. Dawisha, *Arab Nationalism in the Twentieth Century: From Triumph to Despair* (Princeton, N.J: Princeton University Press, 2003), 6–10.

[62] Hafez, *Why Muslims Rebel: Repression and Resistance in the Islamic World*, 12–18.

[63] Ibid., 18; Carrie Rosefsky Wickham, *Mobilizing Islam : Religion, Activism, and Political Change in Egypt* (New York: Columbia University Press, 2002), 7; Charles Tilly, *Social Movements, 1768–2004* (Boulder, CO: Paradigm Publishers, 2004).; Doug McAdam, John D. McCarthy and Mayer N. Zald, eds., *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*.

[64] McAdam, McCarthy and Zald, *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, 3.

[65] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 116.

[66] McAdam, McCarthy and Zald, *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, 3.

[67] Hafez, *Why Muslims Rebel: Repression and Resistance in the Islamic World*, 19.

and the necessary funding, the "material and organizational resources." Additionally, movements must be accepted by the public and perceived to provide a solution for a common cause in an appropriate way. They must be perceived as legitimate. These are the "legitimacy and identity resources." In order to achieve the movement's objective, a movement needs an institutional structure to carry its message, the "institutional resource." Concerning the "material and organizational resources," movements develop their own hierarchies and structures.

The last requirement for a successful mobilization of a movement is the frame to this message. Like the other requirements, frames depend on the situational circumstances and cultural backgrounds. A successful frame presents the movement's message in a way that a large part of a society can identify with.[68] Therefore, it has to use symbols that are known and understood in the society. The frame expresses the ideology of the movement. If the "legitimacy and identity resources" are the vehicle, the frame puts the message into the "flavor of the day." An example for a successful framing is provided by Ziad Munson in his analysis of the Egyptian MB;

> There was a concrete relationship between Muslim Brotherhood ideas and the everyday lives of the Egyptians. The organization provided new members with a message that they could apply *immediately* to their daily lives, by abstaining from alcohol, withdrawing money from interest-bearing accounts, and so on. The ideology connected these small details with the larger ideal of building a better society and better life. The richness of the Islamic message connected to many facets of an individual's life, providing each with a stronger identification with and commitment to the organization.[69]

This example shows that a frame is successful when it resonates with people's experience. It is important to understand that the frame alone does not mobilize a movement but does act as a "supporting device."

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[68] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 116.

[69] Ziad Munson, "Islamic Mobilization: Social Movement Theory and the Egyptian Muslim Brotherhood," *The Sociological Quarterly* 42, no. 4 (2001), 487, 506.

How did the formation of a movement work for Hamas? How did Hamas develop? How is Hamas structured?

B.   FORMATION

Hamas is the product of three factors: First, the activities of the Palestinian MB. The second factor was the acceleration of events with the Palestinian uprising in 1987, the first intifada. The third factor was the failure of the PLO to achieve its objectives of achieving a state for the Palestinian people.

Hamas' development must be seen within the context of the Palestinian situation at the end of the 1970s and the early 1980s. The foundation of Hamas marked the end of internal discussions and tensions in the MB, which had started before the outbreak of the first intifada. After the Arab defeat in the Six Day War of 1976, the MB was the dominant Islamic movement in Palestine,[70] where, in the war's aftermath, the MB developed an institutional and organizational infrastructure. The most important step was the creation of the Mujamma, the Islamic Center.[71] The Mujamma was the base for the MB's institutionalization in Palestine. It combined social activities, such as sports, with charity, social services and the MB's message.[72] As in Egypt, it worked on the communal level and inserted the MB into daily life. It provided the necessary mobilizing structures and the framing of MB's message. Thereby, the Palestinian MB developed a sustainable and enduring organizational structure, which allowed its influence to spread. In the late 1970s, the MB had spread throughout Palestine and had consolidated with its West Bank chapter[73] when the growth of Islamic movements accelerated. One reason for that was the success of the Iranian revolution, and the response to the Soviet invasion in Afghanistan, which also boosted the popularity of more militant Islam activism against

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[70] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 119.

[71] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 19.

[72] Ibid., 19–20.

[73] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 34.

Westernized regimes and occupation.[74] This is important because it influenced the MB's members later on. Another important development that favored the growth of Islamic movements was the situation in Palestine itself. The combination of a tense economic situation on the Arab peninsula, Israeli constraints, growing inflation, and rising unemployment led to deterioration of the social and economic conditions in Palestine.[75] Nonetheless, this situation presented an opportunity for the MB to further spread and gain influence because its course presented a viable alternative. "Spurred by these developments and encouraged by its growing popularity, the Mujamma leadership moved to penetrate the public sphere, hitherto dominated by the PLO."[76] The Mujamma successfully gained influence in professional associations, and most importantly among the students. First, the MB gained influence mainly by funding the Islamic University in Gaza at the same time the PLO's financial contribution decreased. The number of MB representatives at the university steadily increased and, in 1983, the MB won the power struggle against the PLO.[77] The growing number of students in the ranks of the MB initiated a generational change in the movement. The contemporary leadership had consisted of "urban, upper middle-class merchants."[78] These leaders were settled and tended to be non-revolutionary. Therefore, they adhered to the MB strategy of "bottom-up social Islamization."[79] In contrast to that, the new student membership from the universities represented the lower middle class from rural areas. Moreover, these students brought different experiences into the movement. They came from rural areas and refugee camps, where the secular nationalists, like the PLO, had strong influence. Consequently, these younger members were more open to the use of violence than the

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[74] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 32; Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 22.

[75] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 22.

[76] Ibid., 22.

[77] Ibid., 24.

[78] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 121.

[79] Ibid., 121, 122.

older generation.[80] This coincided with the increasing radicalization of the situation in Palestine. Not only did the situation between Israelis and Palestinians become more violent, the competition between the different Palestinian groups became more violent.[81] After penetration into the political sphere, the MB found itself in competition with other groups, foremost the PLO and Fatah,[82] and with the competing ideology of nationalism. The new members, the growing Islamization, and the radicalization of the situation brought the two ideologies, Islamization and nationalism together within the MB and initiated the internal discussion about the strategy. Robinson shows "that the Islamist movement began to divide along class and ideological lines in the 1980s, a fissure that pitted the old elite of the Muslim Brotherhood against an active middle stratum."[83] A first result of this fissure was the offshoot of the Islamic Jihad in the early 1980s. It was founded by MB leaders who rejected the passive approach of the MB and wanted to fight against Israeli occupation.[84] This new movement gained popularity. One can say that Islamic Jihad successfully used an opportunity and successfully framed its cause, showing that active resistance and Islamization could be synchronized.[85] The MB needed to respond in order to maintain its position. Another indicator for a shift in the MB's strategy was the attempt by Sheik Yassin to found the first core of a security apparatus, the Majd.[86]

These circumstances set the stage for the foundation of Hamas. While trying to exploit opportunities, the MB had to compete with different internal and external groups

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[80] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 121; Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 37; Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 25.

[81] Ibid., 26; Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 36.

[82] Hroub, *Hamas: Political Thought and Practice*, 88, 113.

[83] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 121.

[84] Hroub, *Hamas: Political Thought and Practice*, 32.

[85] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 122.

[86] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 34.

and ideologies, secular and religious, and to cope with a changing, radicalizing situation in order to survive. The MB found itself in a spiral of events in which each response and event accelerated further events.

Yet, the political environment changed in favor of the MB. The PLO was weakened by its expulsion from Lebanon and the Israeli decision to crack down on the PLO but to stay neutral towards the MB.[87] This allowed the MB to spread in the public and political sphere as described and to fill "the vacancy." Furthermore, this series of events was crucial for the MB to exploit the momentum of the increased popularity of Islamization because it was not hampered or constrained in its actions whereas the PLO was handicapped.[88] The society changed its view of Islam over the course of events. It was open for the combination of Islamism and the cause of a Palestinian nation.

There is another implication in the context of this political opportunity. As explained, the younger generation in the MB was more radicalized and willing to participate in armed struggle, thereby combining the Islamic cause of the MB with the ideology of a Palestinian nation.[89] Due to that, entering into the political sphere was not only an opportunity but also a necessity in order to cope with the MB's internal debate.

The popularity of Islamic movements and international developments, along with the MB's established organization in Palestine presented an Islamic solution for the Palestinian cause.[90] Nonetheless, the Muslim Brotherhood's popularity was connected with a nationalist cause and active resistance against the occupation. The formation of the Islamic Jihad is a good example. To exploit its popularity as an Islamist movement, the MB had to present its course of action as an available Islamic solution under the given situation.

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[87] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 37; Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 124.

[88] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 124.

[89] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 37.

[90] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 125.

Another opportunity for the MB was the outbreak of the first Intifada in 1987. The spontaneous riots that merged into the first intifada, and included more or less the whole Palestinian entity, caught the MB by surprise. Due to the dominant public support for violence, adherence to an unarmed struggle only was no longer an alternative for the MB to sustain its position. Furthermore, the Intifada could have enabled the PLO to regain ground and power.[91] The MB had to decide how to participate in the uprising, which was vital to sustain support, while at the same time to not compromise the movement. In the face of the new situation, the Muslim Brotherhood argued that "it was possible and necessary to try to achieve them (social change and freedom for the Palestinian land) simultaneously, and not to delay one for the sake of the other, on the grounds that objective circumstances determine the timing."[92] With the creation of Hamas, the MB was able to cope with the new situation and respond to the pressure of its younger, militant leadership. Therefore, the Muslim Brotherhood adopted jihad, compromising between social Islamization and jihad, and secured its survival.[93] The establishment of Hamas, as an independent organization, allowed the MB to maintain its character and position against the PLO while at the same time participating in and contributing to the intifada.[94] Moreover, it allowed the MB to continue its "daily business" without being the target of Israeli countermeasures because the MB itself did not commit violence. Robinson describes the formation of Hamas as a revolution "of the activist second stratum of the Muslim Brotherhood against the more reform-minded first stratum."[95] The formation of Hamas was not quite a revolt. But what is obvious is that the center of gravity in the MB shifted from the older to the younger leadership who were the driving factor in the formation of Hamas and therefore in the change of the MB's

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[91] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 35.

[92] Hroub, *Hamas: Political Thought and Practice*, 36.

[93] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 35.

[94] Ibid., 35.

[95] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 125.

strategy due to political opportunities.[96] The decision to create Hamas showed that the MB leadership responded to external and internal opportunities and constraints it was not able to control. Hamas developed as a flank effect to the MB because of the influence of the situation and the internal pressure of the hardliners. Favored by the circumstances of the intifada, it matured quickly and subsumed its mother-organization, thereby integrating the welfare network.[97] Thus, the "exogenous event (the start of the intifada) led to the birth and empowerment of a new SMO (Social Movement Organization)."[98]

C.   HAMAS' MOBILIZING STRUCTURES

As a movement, Hamas has to mobilize its supporters. What are the structures Hamas has mobilized *on* and is mobilizing *with*? The answer to that question lies with Hamas' roots in the Mujamma. In its process of maturation, Hamas subsumed the MB's charity organizations and with them the existing network. The mosques are another factor. The charity organizations and social services, as well as the mosques, provide Hamas with the necessary structure to mobilize its supporters. As in Egypt, these organizations were structured on the communal level. Additionally, the decade before the intifada can be described as "the mosque building phase" with a significant increase in the number of mosques in the Gaza Strip.[99] The Mujamma combined the mosques with its other services like schools, sport clubs, and medical installations.[100] As in Egypt, this allowed a combination of the cause and solution together with daily Palestinian life. The combination allowed the successful transportation of the message together with practical daily life solutions for the people. When Hamas took over, it maintained these organizations, thereby keeping a structure to which it could win new members.[101] Hamas

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[96] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 38.

[97] Ibid., 38.

[98] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 125.

[99] Hroub, *Hamas: Political Thought and Practice*, 30.

[100] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 127.

[101] Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 83.

added its cause for armed resistance, thereby combining it with the legitimacy of the established institutions. Although these institutions are one base on which to mobilize supporters, a charity organization does not inevitably create new members. As Gunning shows, the advisory boards of the charity organizations also include nonmembers. The charity organizations are a means to combine message with daily matters, whereas other institutions such as student organizations win the main base of supporters. Two more facts are important. First, because these structures are based at the communal level they also help to develop personal networks. These personal networks are another important mobilizing structure. As a matter of fact, the combination of message, institution, networks, and practical help in daily matters, provided the structure to win members for the movement. Second, Hamas not only maintained the old institutions but also established new ones. During the Oslo period, it founded the Scientifical Medical Association and the Hamas' Association for Science and Culture.[102] This added education to the structure and provided influence at an early stage, which contributed to mobilization, too.[103] Besides the community level, the adaptation of the Mujamma's institutions provided Hamas with mobilizing structures on the national level. Because the Mujamma gained supreme influence in the universities, Hamas was able to link to the students, who were most open to its cause, as explained.[104] The backgrounds of the students made them very receptive to Hamas' message and the opportunities it offered in its activities. That its student blocs were the most important mobilizing structure is shown in the aftermath of the Oslo Accords. While the political environment was dominated by Fatah and the PA, Hamas maintained significant influence and support among students.[105]

In order to survive, Hamas not only needed to maintain the mobilizing structures it had taken over from its predecessor, but also establish its own enduring hierarchy and

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[102] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 127.

[103] Ibid., 127.

[104] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 24; Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 128.

[105] Ibid., 128, 129.

institutional base. Soon after its formation, the senior leaders were imprisoned or deported.[106] Together, with the fact that Hamas' formation was not thoroughly planned, these facts demanded a restructuring of the movement. In order to avoid neutralization by further crackdowns, the organization was separated into social, militant, and political wings.[107] Furthermore, the leadership divided into an internal leadership and an external leadership. Initially this structure was created to provide uninterrupted leadership in case of crackdowns.[108] As the different mobilizing structures show, Hamas organized itself into a heterogenic structure. This allowed Hamas to successfully address a large part of the population during the intifada and gain further power.[109] Furthermore, Hamas formed an enduring organization with secured funding. This created tensions between the different parts of the organization, especially between the external and the militant leadership who can be assessed as the hardliners, on the one side, and the internal leadership who can be considered as more moderate, on the other side.[110]

The mobilizing structures and its organization enabled Hamas to survive repression and challenges. Even in the unfavorable conditions of the Oslo period, when Hamas was threatened by marginalization and containment by its opponents, Hamas managed to maintain its structures and organization. When the outbreak of the al-Aqsa intifada changed the conditions in favor of Hamas, it was able to reach back to an established structure and organization. Moreover, Hamas continues to work on its mobilizing structures. While rejecting participation in the 1995 elections, Hamas later formed the Islamic Salvation Party and participated successfully in the 2006 elections. Although the party did not win an absolute majority or provide a major increase in members for Hamas, it proved to be a viable mobilizing structure under the given

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[106] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 40.

[107] Ibid., 40.

[108] Ibid., 40.

[109] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 89.

[110] Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 37; Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 41; Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 59.

circumstances.[111] The situation changed after the elections. While Hamas has to prove its ability to govern, it has to maintain the movement's cohesion. Therefore, it is trying to incorporate itself into the administrative structure in the Gaza Strip while at the same time maintaining the movement's political position.[112] Figure 1 shows Hamas' current structure.
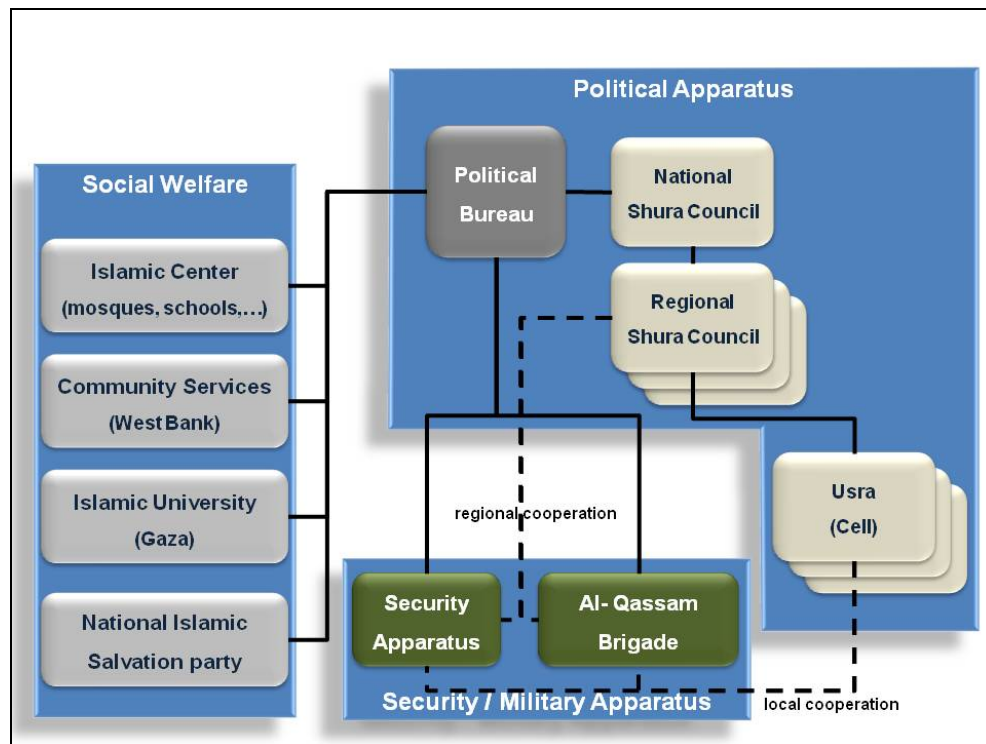
Figure 1:   Hamas' Structure[113]

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[111] Palestinian Center for Policy and Survey Research, "Special Poll: On the Election Day for the Second Palestinian Parliament: A Crumpling Peace Process and a Greater Public Complaint of Corruption and Chaos Gave Hamas a Limited Advantage Over Fateh, but Fragmentation within Fateh Turned that Advantage into an Overwhelming Victory," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2006/exitplcfulljan06e.html (accessed November 15, 2008).

[112] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 16–18.

[113] Figures 1 to 6 by author; see also: Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 99.

D. CULTURAL FRAMING AND HAMAS' CHARTER

Like other movements, Hamas is using a frame, which can be called its public relations-stance, the movement's package.

Soon after its formation, Hamas published its Charter in 1988.[114] It presented the identity and ideology of Hamas. Moreover, it combined the MB's social Islamization with Hamas' armed resistance and its participation in politics. It legitimized violence and combined Hamas' course of action with public opinion and perception. This was crucial because in order to gain and maintain public support a movement's message must "resonate with its target audience."[115] The Charter positioned Hamas into political circumstances. Article 2 of Hamas' Charter defines Hamas as a part of the Palestinian MB.[116]As explained, Hamas developed as a flank effect as a result of inner pressure and situational adaptation. It was necessary to combine MB ideology and legitimacy with a legitimized participation in the intifada and the Palestinian cause.[117] Article 9 shows that Hamas adapted the MB's definition of the Islamic crisis and built a bridge to connect this crisis and its Islamic solution to the Palestinian national cause and, in the end, to the use of violence. Nonetheless, article 10 shows that Hamas was founded as an independent organization.[118] These facts are important in the later course of events. While the link to the MB allowed Hamas to subsume the MB's foundations in Palestine, the definition as an independent movement allowed the group's maturation without any frictions within its message. How does the connection of the causes work?

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[114] See Appendix B for further details of the Charter.

[115] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 129.

[116] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 177.

[117] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 129.

[118] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 180, 181.

The foundation of the Charter, which is based on Islam, article 6 and 8 show it is pivotal to the connection.[119] The adherence to the Islamic cause, as depicted in article 5 of the Charter orients Hamas' objectives and strategy ultimately to the Islamic frame.[120] Therefore, Hamas' cause is indispensably connected with Islam and one issue for every Muslim. Additionally, the Islamic base allows for the concept of Islamic nationalism. First of all, in article 11, Palestine is declared as a "waqf," an endowment given to the Muslims by god. This Islamic definition of the Palestinian entity has two effects. First, it gives the Islamic entity of Palestine a fact of sovereignty.[121] This gives the national cause its religious dimension and solves "the contradiction between the national idea…and the divine law…."[122] Thus Hamas and its activities provide an embracing solution. Article 12 stresses this connection and merges the concept of a Palestinian national state together with the Islamic cause.[123] With this, Hamas has been able to offer an authentic nationalism that presents an identity every Palestinian can cope with.[124] Second, the definition of Palestine as part of an Islamic heritage allows legitimizing Hamas' violence in the name of jihad. Moreover, it combines the cause of jihad with the Islamization of Palestine.[125] It is important to see the connection between the definition of the Islamic nation and legitimate jihad. Because Palestine, as a sovereign Islamic entity, has been "invaded," this allows the right for a defensive jihad, which in turn then is a duty for every Muslim.[126] Thereby, Hamas has had to cope with a divergence between its rocket and suicide attacks against Israeli civilians and the classical interpretation of jihad, which

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[119] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 178, 180.

[120] Ibid., 178; Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 67.

[121] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 130.

[122] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 44.

[123] Ibid., 182.

[124] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 134.

[125] Shai Gruber, "Hamas: Pragmatic Ideology," *The Fletcher School Journal for Issues Related to Southwest Asia and Islamic Civilization* (Spring 2007), 3.

[126] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 44,182, 184.

rejects violence against non-combatants.[127] Hamas' Charter itself emphasizes jihad as "the only way" without reference to the conduct of that jihad. In an interview, a Hamas leader of the political bureau legitimized the attacks against non-combatants because "unfortunately most of Israeli society is armed and militarized."[128] By defining the Israeli entity as a military one and therefore a legitimate target, Hamas put itself back in line with its Charter. The embracing construction of the Charter provided a base for a cultural frame that successfully combined different Palestinian concerns, the end of Israeli occupation, a stable society and sovereignty, with strong symbols, a defensive jihad, and an Islamic heritage. It connected all aspects of perceived oppression, common identity and religion.[129] Given the circumstances of the first intifada, this frame successfully "resonated with the target audience."[130]

Nonetheless, the Charter also implies some difficulties for Hamas. The movement's identity is bound to jihad and its Islamist nationalistic legitimization. In contrast to that, Hamas' political practice also includes pragmatism and deviates from the Charter, as the case studies in chapter III will show.[131] The Charter proved to be a successful frame for entering the public and political sphere during the intifada. With the beginning of the Oslo period, the movement experienced the first difficulties in the unity of ideology and practice. Therefore, it had to move to a more moderate position using "normal" political frames to transport its message.[132] The need to use different frames which did not necessarily deal with the ideological identity was even more obvious in the 2006 elections and the aftermath. In the elections, Hamas campaigned with political

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[127] Gruber, *Hamas: Pragmatic Ideology*, 3.

[128] Mouin Rabbani, "A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II," *Journal of Palestine Studies* 37, no. 4 (Summer 2008), 63.

[129] Gruber, *Hamas: Pragmatic Ideology*, 3.

[130] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 129.

[131] Gruber, *Hamas: Pragmatic Ideology*, 2.

[132] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 110.

issues.[133] Once in power, Hamas tried to maintain its "1987 intifada identity" while at the same time secure public support and present itself as a capable government and opposition to the PA and Fatah. While there is an obvious divergence between its Charter and the actions necessary to secure the movement's survival, Hamas applied flexible politics as frames in order to ensure its cohesion and public support. What can be seen also from the Hamas Charter and use of frames is the use of Islam as an embracive factor. Its importance lies with its use as a cultural frame rather than as the driving factor behind decision making as Chapter III will show.[134]

E.   HAMAS' ORGANIZATIONAL STRUCTURE: THE ORGANIZATION

As explained, Hamas' organizational structure grew when Hamas matured. The structure, as shown in Figure 1, allows the organization to conduct clandestine militant operations, as well as to participate in politics. It consists of: the charity or social welfare institutions, the political apparatus and the security and military apparatus.[135] At first glance, the structure seems to support ordered decision making and even allow participation in a democratic sense. Decisions are made in committees at the different echelons and members, as well as leaders, are elected.[136] Moreover, the charity leadership of the charity organizations also includes individuals who are not members of Hamas.[137] The latest adaptation was the formation of the Change and Reform Party. Nonetheless, the decision making strongly depends on the kind of leadership.

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[133] Palestinian Center for Policy and Survey Research, *Special Poll: On the Election Day for the Second Palestinian Parliament: A Crumpling Peace Process and a Greater Public Complaint of Corruption and Chaos Gave Hamas a Limited Advantage Over Fateh, but Fragmentation within Fateh Turned that Advantage into an Overwhelming Victory*; Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 68.

[134] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 126–129.

[135] Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 9.

[136] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 100–107; International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 16–17.

[137] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 40.

The heterogeneous structure of Hamas shows that it is capable of conducting politics in a multifaceted way. While the charity organizations link Hamas with the daily life of the Palestinians, the student organization and the political party allow permanent participation in politics. Although the link to Palestinian daily life is not a guarantee for public support, it proves that Hamas is a persistent factor in Palestinian society. As polls show, the support for Hamas declined from 2006 to 2008, but never faded away.[138] An example was the decreased support for Hamas in general, but the increased support for the Haniyeh government in 2008.[139] Like the charity organizations, the political arms of the organization are persistent, too. The political bureau is based in Syria, therefore ensuring leadership in case of crackdowns, as Hamas experienced them in the intifadas or lately in the Israeli operation "Cast Lead."[140] Another example is the student unions and the Change and Reform Party. While the student unions stayed under Hamas' dominance, even in the unfavorable Oslo Accord period, the Gaza government formed by the Change and Reform Party managed to withstand the isolation forced upon it and even to establish public order.[141] Furthermore, the Shura Councils allow direction and guidance for members throughout all Palestine. Moreover, Hamas' military arm further developed its structure. The Qassam-Brigades were restructured and adapted to the situation in Gaza. While still capable of operating in clandestine cells, the Brigades now have a paramilitary structure, clear hierarchy, ranks and defined areal responsibility. Additionally, the Gaza

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[138] Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 29*.

[139] Palestinian Center for Policy and Survey Research, "Palestinian Public Opinion Poll no. 30," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2008/p30e.html#head1 (accessed January 12, 2009).

[140] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 40.

[141] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 129; Palestinian Center for Policy and Survey Research, "Local Universities Students' Poll: The Peace Process and the Palestinian Domestic Situation: A Bleak Picture?" Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/cprspolls/96/university.html (accessed January 12, 2009); International Crisis Group, *Middle East Report no. 71: Inside Gaza: The Challenge of Clans and Families* (Gaza, Jerusalem, Brussels: International Crisis Group [2007]), http://www.crisisgroup.org/library/documents/middle_east___north_africa/arab_israeli_conflict/71_inside_ gaza___the_challenge_of_clans_and_families.pdf (accessed September 19 2008), 17; International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 7; International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 6, 8.

police forces were integrated into the organization's security apparatus.[142] Two facts are of importance. First, the structure of Hamas allows political flexibility. As the events after Hamas' election victory in 2006 up to the escalation of operation "Cast Lead" in 2008 show, the organizational structure allows an adaptation of actions to circumstances. Second, while becoming a political factor, Hamas maintained its capabilities in the charity sector as well as in the militant sector. Furthermore, the separation of the leadership not only ensures undisruptive movement but also funding, which is independent from the situation on the ground in Palestine.[143] These facts contribute to the organization's sustainability.

The structure is a product of Hamas' history and experience. While the structure supports Hamas' policy decisions towards violence and are pragmatic, decision making itself is strongly influenced by two factions in the leadership already mentioned: the hardliners and the moderates.

F.   HAMAS' ORGANIZATIONAL STRUCTURE: THE LEADERSHIP

The decision making in Hamas depends on two types of leaders within the Hamas hierarchy: the moderate leadership, and the hardliner leadership. Prior to the participation in the 2006 elections, the two types of leadership could have been divided by geography. The external leadership, together with the militia leaders, represented the hardliner faction, the internal leadership presented the more moderate faction.

The external leadership, whose public expression is the 1992-formed political bureau headed today by Khaled Mishal, has control not only of the general political decision making and public relations, but also to some extent of the military wing, which

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[142] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 4; International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 4, 5, 8; IICC, *Hamas' Military Buildup in the Gaza Strip (Updated April 2008)* (Tel Aviv: Intelligence and terrorism Information Center at the Israel Intelligence Heritage & Commemoration Center (IICC) [2007]), http://www.terrorism-info.org.il/malam_multimedia/English/eng_n/pdf/hamas_080408.pdf (accessed September 10 2008), 4, 10–14.

[143] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 88; Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 10; Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 40.

is loyal, despite its independence, to the external leadership.[144] Furthermore, it controls much of the funding which ensures it much influence.[145] In contrast to that, the internal leadership has control of the institutions on the ground within Palestine.[146] Due to the election system within Hamas, this is not a permanent situation. Influence and dominance in the decision-making bodies of Hamas can change from one leadership to the other, as will be discussed regarding Hamas' political practice.

What is even more important is the fact that the two leadership factions present two different approaches to Hamas' politics. While the moderate leadership can be assessed as more open to cooperation and agreements, the hardliner leadership can be assessed as more restricted in its openness to talks and cooperation.[147] The hardliner position does not necessarily imply total adherence to violence, but to the more aggressive pursuit of objectives and exploitations of opportunities, as seen in the events of 2007 and the first half of 2008. It is obvious that a dominance of hardliner leadership more likely leads to rejection of moderate behavior.[148] These two different factions in the leadership are not limited to the decision-making bodies of Hamas, but also can be found in the different sub-organizations. While the factions could have been divided geographically, this changed after the decision to participate in the 2006 elections. Now the division between moderates and hardliners can be found throughout the organization.[149] As the case studies in Chapter III will show, this does not necessarily lead to an internal "showdown" of the leadership factions, but creates tensions that influence Hamas' decisions. The influence of the political leadership is twofold. The Hamas members, who were assigned to positions in the government after the elections,

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144 Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 59; International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 16.

145 Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 10, 33.

146 Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 59.

147 Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 37.

148 International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 17; Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 16.

149 Klein, *Hamas in Power*, 449.

have no position in the organization.[150] Nonetheless, together with the moderates inside the organization, this political leadership has influence in the organization's decision making.[151] But, at the same time, this division in the leadership also fosters hardliner views within the organization, as well as the possibility the radical leaders of the armed faction can act on their own.[152]

The two different leaderships inevitably lead to tension within Hamas.[153] As the analysis of the center of gravity will show, the cohesion of the movement is of utmost importance for Hamas. Therefore, the decisions are normally made by consensus.[154] But this consensus is influenced by the stance the particular leadership faction has at that time. Additionally, the personal influence of individual leaders is also of importance, as the examples of Sheik Yassin and Khaled Meshal show.[155] As mentioned, the division in the leadership does not mean that hardliners always reject political solutions while moderates always reject violence. The level of violence used in response to opportunities indicates that actions which follow the decisions depend on the leadership which dominates in the respective situation. In the prelude to the escalation in December 2008, it seems that there was an intense discussion between hardliners and moderates when the truce came to an end.[156] There are indicators that the moderates tried to revive the truce, but the likely dominance of the hardliners pointed towards escalation.[157] Figure 2 shows a possible distribution of influence in the leadership in the end of 2008.

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[150] International Crisis Group, *Middle East Report no. 62: After Mecca: Engaging Hamas* (Amman, Jerusalem, Brussels: International Crisis Group [2007]), 25.

[151] Ibid., 25–26.

[152] Ibid., 26; Klein, *Hamas in Power*, 449.

[153] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 107–116.

[154] International Crisis Group, *Middle East Report no. 62: After Mecca: Engaging Hamas*, 26.

[155] Ibid., 25, 26.

[156] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 10–12.

[157] Friedman, *Hamas Tells Fighters to Hold Fire for 24 Hours; Faction Says Truce could be Renewed; Israel Signals Readiness to Move into Gaza*, A.14; Gwertzmann, *Israel–Palestinian Crisis Explodes Onto Obama's Agenda*; Bremer, *Der Angriff Begann Mit Dem Ende Des Gottesdienstes*, 3; International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 16; International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 13.
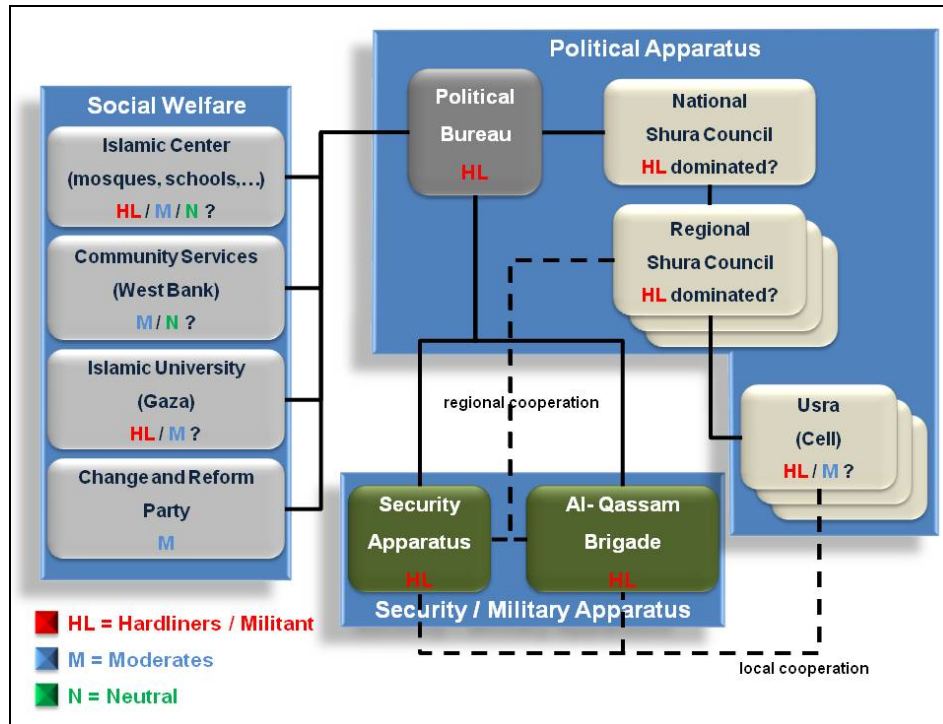
Figure 2:   Hamas' Hierarchy and Possible Leadership Influence at the end of 2008

It is important to keep these two positions in the overall Hamas leadership in mind when analyzing its politics.

G.   HAMAS' ORGANIZATIONAL STRUCTURE: HAMAS' CENTER OF GRAVITY

By developing its structure and organization, Hamas also developed a center of gravity. Carl von Clausewitz defined it and it is defined today in NATO terms, as a "Centre of gravity: Characteristics, Capabilities or localities from which a nation, an alliance, a military force or other grouping derives its freedom of action, physical strength or will to fight."[158] The center of gravity explains why Hamas is able to influence the domestic politics and the Israel–Palestinian conflict. It is constituted of Hamas' structure, organizational capabilities and its legitimacy.

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[158] NATO Standardization Agency, *AAP 6: NATO Glossary of Terms and Definitions*, 2002nd ed. (Brussels: NATO Standardization Agency, 2001), 2-C-2.

This center of gravity is what keeps a movement operational. Therefore, a decision always refers to this center of gravity, either to protect it or to enforce it. As depicted in the definition, a center of gravity consists of capabilities, requirements, and also of vulnerabilities.

Looking at Hamas, such a center of gravity can be found. Hamas has the ability of creating a strong impact on the Palestinian situation and to influence it. Figure 3 illustrates Hamas' center of gravity. Its organizational structure and political as well as military capabilities allow Hamas to pursue its objective with political and military means. This enabled Hamas to gain control of the Gaza Strip. This control is the critical capability that creates the impact on domestic politics and the Israel–Palestinian conflict. To maintain this capability requires cohesion, the sustained control of the Gaza Strip, the maintenance of the organization itself, the support, and contained opponents. These requirements are not always easy to maintain which creates some vulnerability.
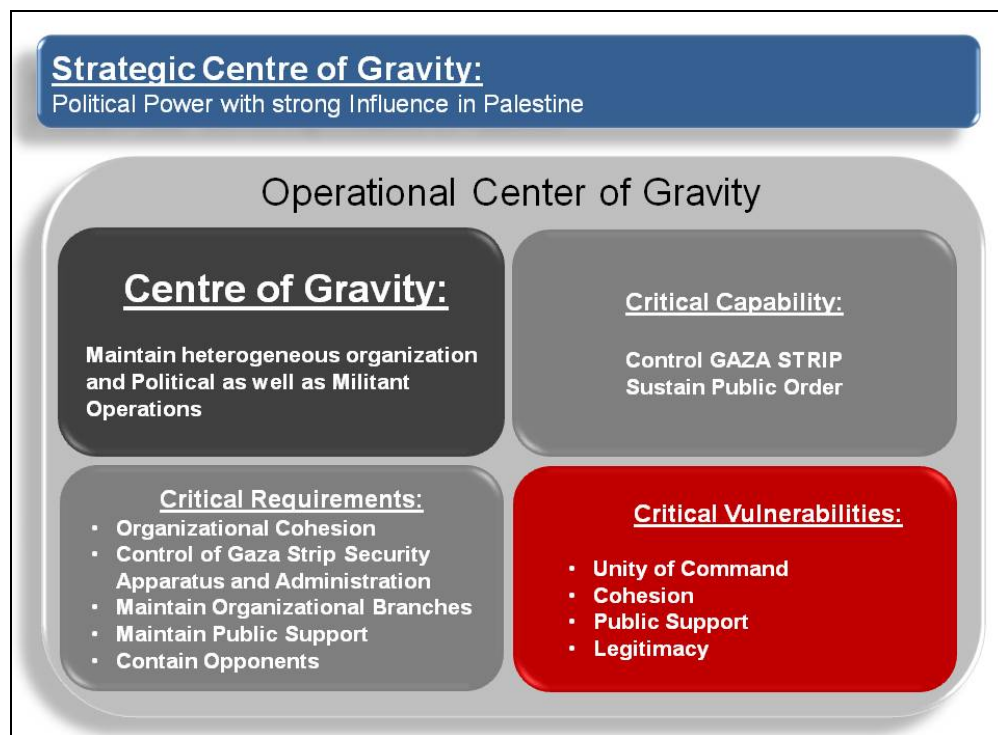

Figure 3:   Hamas' Center of Gravity

The existence of an organizational center of gravity shows two important facts. First, it shows the complexity of Hamas which indicates that it is a movement with political power rather than merely a group of terrorist activists. Second, the sustainment of such a center of gravity requires rational decision making, as will be explained in the next chapter.

H. CONCLUSION

The analysis of Hamas shows that it is a social movement rather than an extended terrorist organization and that Hamas responds to circumstances.

Given the three elements: political opportunities, mobilizing structures, and cultural framing, Hamas complies with its characterization as a social movement. Although, at first, a flank effect of an existing and established movement, the Palestinian MB, Hamas developed its own momentum. Hamas began to respond independently to opportunities autarkic by its own ideology. The Charter, as well as the actions, shows this maturation process. As depicted and explained in more detail later, Hamas possesses a structured decision-making capability by which violence is applied after a cost-benefit analysis, and which distinguishes it from a solely radical group. Furthermore, Hamas was not only mobilized upon existing structures, it maintained and further developed these structures. Additionally, Hamas established a sustainable hierarchy and structure that, despite the internal tensions, maintained the movement's survival throughout the course of events. Last, the movement successfully applied its ideology in a frame, which resonated with its target audience. Concerning these three elements of a social movement, Hamas fits the pattern. Nonetheless, the movement is further transforming. After the formation of the political party and the election victory, it had to adapt to the circumstances of being a government. This adaptation and framing is a challenge with a new quality for Hamas because it requires the solution of the tension between the inner factions as well as the divergence of the "1987 intifada identity" and the necessity to apply pragmatic politics as a government. The escalations in December 2008 until February 2009 seem to be a step backwards and do not fit into Hamas moderating. As will be shown later, and as recent analysis of the escalation around New Year 2009

indicates, Hamas' behavior fits into the explained character indicating a decision-making process dominated by the hardliners. However, Hamas, as a movement, can be assessed to be successfully established. While the effects of military operations on Hamas are questionable, further analysis of Hamas shows that it is a political factor that has to be included in the peace process.

Hamas' decisions and actions are influenced by circumstances. This includes its structure, hierarchy and the center of gravity the organization developed. As an organization, Hamas wants to secure or improve its situation and prevent harm to itself. As an organization, Hamas developed the described center of gravity. It is the expression of what the organization wants and can do, and what it has to maintain in order to stay a political factor. As will be shown in the next chapter, the considerations of these internal circumstances are an indispensable factor in decision making. Furthermore, the different factions in the leadership present the "human factor" in decision making. Hamas' course of action also depends on how the leadership assesses which opportunities to maintain, secure, or improve. Thereby, decision making is not carried out by one person. It is an interdependent process of situational circumstances, leadership assessment, and intra-leadership discussion, influenced by the amount of control of the respective leadership and third party activities. The principle of consensus shows that while discussing and deciding about a course of action, the organization has a common understanding of its center of gravity and how to maintain it.

III.   HAMAS' POLITICAL PRACTICE

Hamas' decision making follows a cost-benefit analysis that is influenced by its character as a movement and its organizational behavior. This chapter analyzes Hamas' decision making in selected cases. These cases are: first, the 1987 uprising and the decision to form Hamas to compete with the Palestinian Islamic Jihad and Fatah; second, the Oslo Peace Accords 1993 and Hamas' desire to sabotage a peace agreement that was accepted by the majority of Palestinians; third, the al-Aqsa uprising in 2000 after the failure of the peace accord between Barak and Arafat, and Hamas' decision to participate with full force through the use of suicide attacks; fourth, the post-9/11 security environment giving Israel a good opportunity to crush Hamas and all violent Palestinian movements; fifth, the elections in 2006 and Hamas' decision to participate and even hold a coalition government with Fatah; and sixth, finally the stalemate after the elections and Hamas' decision to secure its position and the road to renewed escalation with Israel in the end of 2008.

A.   THE 1987 UPRISING AND THE DECISION TO FORM HAMAS

Hamas developed out of an existing movement. Why did the Muslim Brotherhood leadership decide to form Hamas? To which incentives did they react? What were the opportunities?

Chapter II depicted the development of the movement, of which three facts are especially important. First, the growing influence and the success in the public and political sphere brought the Mujamma in direct competition with other organizations, foremost the PLO, at that time the designated and sole Palestinian representative, and the MB's old rival, Fatah, at that time the dominant power within the PLO.[159] In the further course of events, this competition and struggle for dominance had a strong impact on decisions made by Hamas. Second, the growth of the Islamic movements emerged

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[159] Hroub, *Hamas: Political Thought and Practice*, 88, 113; Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 24.

simultaneously with a growing radicalization of the conflict with Israel due to worsening socioeconomic conditions.[160] There were violent clashes between the competing movements, as well as the conflict with Israel. The idea of an armed struggle against Israel, defined as defensive jihad, became very popular.[161] Additionally, the cause of a Palestinian nation won more and more supporters. As a result, members of the MB, dissatisfied with the teaching and preaching approach, split from the movement and formed the Palestinian Islamic Jihad.[162] Islamic Jihad soon became another competitor of Hamas. At the same time, the MB spread and gained influence and power and had to cope with two facts: A growing demand for participation in the armed struggle from its own members, and a situation on the ground that presented a disadvantage for a social change approach and threatened to deprive the MB of its support.[163] The third fact was the membership of the MB. With the spread in the public and political sphere, the types of members changed. The younger members, and the young leadership who emerged out of them, were more radicalized and open to the use of violence than the older leadership.[164] The maturation of the movement's second echelon, together with the growing popularity of jihad for the Palestinian cause, initiated a discussion about the MB's strategy. What can be taken away from these three facts is that the MB found itself in an accelerating spiral of events. In order to survive, the MB had to cope with new ideologies, competitors and new kinds of members.

The next step in the course of events was the expulsion of the PLO from Beirut in 1982. The PLO was assessed to be defeated. This led the MB leadership to assume that it could exploit the situation, which resulted in the first shift in strategy towards participation in the armed struggle. Within the Mujamma, Sheik Yassin founded the first

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[160] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 22.

[161] Ibid., 31.

[162] Ibid., 32.

[163] Ibid., 26, 33.

[164] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 37; Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 22, 25.

core of a security apparatus, the Majd.[165] Nonetheless, this apparatus had a very limited task and was not sufficient to resolve the internal discussion or to cope with the next escalation of events. The first intifada caught the MB by surprise. Due to the dominant public support for violence, the MB's adherence to an unarmed struggle was no longer an alternative for sustaining support.[166] Additionally, the intifada could have presented an opportunity for the PLO to regain its former position. The MB had to decide how to participate in the uprising, which was vital to sustain its support, while at the same time not compromise the organization. In the face of the new situation, the MB tried to synchronize and legitimize the combination of the fight for the nation and Islamization.[167] With the founding of Hamas, the MB adopted jihad and secured the group's survival.[168] It shows a pattern that can be seen also in later decisions made by Hamas whose decisions and actions always try to maneuver between identity and coping with conditions on the ground. The decision to form Hamas was aimed at maintaining the MB's character and counter position against the PLO while simultaneously participating in the intifada without exposing the MB to Israeli countermeasures.[169] The MB leadership responded to external and internal influences it was not able to control. The aim was to secure the movement's survival. Ironically, the MB's means for survival, Hamas, soon after subsumed its mother movement.

Five facts stand out from this example. First, the MB responded not by coincidence but to the situational changes after an assessment of options. The foundation of Hamas was necessary to secure the survival of the MB. This meant securing the necessary public support by participating in the uprising and following the perception of the movement's members and supporters.[170] Second, the foundation of Hamas was a

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165 Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 34.

166 Ibid., 35.

167 Hroub, *Hamas: Political Thought and Practice*, 36.

168 Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 35.

169 Ibid., 35.

170 Ibid., 36.

quick response rather than a long planned adaptation to the situation.[171] The eruption of violence was not foreseen but initiated a new phase in the Israeli-Palestinian conflict.[172] The public support for active resistance required a response from the MB if it wanted to sustain its position in Palestine. The formation of Hamas allowed the MB to respond quickly without a lengthy transformation of the movement while at the same time to adopt the necessary "jihad now" policy of the intifada.[173] Due to that, as a third fact, the foundation of Hamas marked a strategy shift from Islamization by education to Islamic nationalism.[174] Nonetheless, the formation followed decision making based on the assessment of the situation and options. While the outbreak of the intifada came as a surprise, the MB already had contributed from the Israeli attempt to use the MB to contain the PLO.[175] The MB had already exploited the opportunity to organize and expand in order to compete against the PLO. The outbreak of the intifada and the possibility of participation was not only a necessity; it offered an additional opportunity to compete against the PLO.[176] Therefore, as a fourth fact, the MB had to sustain the organization in order to compete with other movements, foremost Fatah, the PLO, and Islamic Jihad. Due to that, Hamas was founded as a means to succeed in the competition.[177] As the course of events shows, success in the challenge against its competitors was an important objective for Hamas. Last, as a fifth fact, the foundation of Hamas was also the result of the internal changes in the MB. The growing second generation in the MB, foremost students, was more open to purse the Palestinian cause with active resistance.[178] This emergence of a second generation of MB members and

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171 Hroub, *Hamas: Political Thought and Practice*, 39.

172 Ibid., 40–41.

173 Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 35; Hroub, *Hamas: Political Thought and Practice*, 39, 40.

174 Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 37.

175 Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 124.

176 Ibid., 125.

177 Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 36.

178 Ibid., 35.

leaders with a new approach to the Palestinian cause required an examination of the MB's position.[179] The outbreak of the intifada allowed this second generation to influence the adaptation of the MB to active participation in the intifada.[180]

Hamas was founded to participate in the intifada. After its formation, Hamas' organizational structure developed and Hamas became operational.[181] Soon it subsumed the MB and developed its own ideology as the charter of 1988 shows. As explained, jihad is the core of its identity. Therefore, the Oslo Peace Accords, analyzed in the next case, meant a major blow to Hamas. Hamas did not respond by coincidence, but by situational awareness and pragmatic decision making. As will be shown, Hamas' "jihad identity" did not stop them from acting rationally and refraining from violence if necessary rather than blindly following its charter and using violence without assessing the consequences, even if these actions did not match the group's core identity.

B.   THE OSLO PEACE ACCORDS

In the beginning of the 1990s, Hamas expanded. Although the public support for Hamas barely exceeded 20 percent, its militant actions against Israel were supported. Hamas managed to sustain its support.[182] With the organizational foundation of the al-Qassam battalions, it finally left the clandestine sphere.[183] While Hamas increased its attacks, it took care to maintain its support by the public and the legitimacy of its actions as defensive jihad.[184] Therefore, the intifada was favorable to the membership because it

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[179] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 123; Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 37.

[180] Robinson, *Hamas as Social Movement Islamic Activism: A Social Movement Theory Approach*, 125.

[181] Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 8–13.

[182] Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 2: Palestinian Elections," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/cprspolls/94/poll2a.html (accessed March 1, 2009); Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 5: Palestinian Political Attitudes Towards Elections and Other Issues of Concern," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/cprspolls/94/poll5a.html (accessed March 1, 2009).

[183] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 64–66.

[184] Ibid., 66.

legitimized violence in general. In contrast, the Oslo Peace Accord of 1993, and its results, threatened Hamas in its very existence. Public opinion swung towards peace, thereby favoring Fatah and the PLO.[185] This decline in public support of violence threatened Hamas' base of support. Hamas, formed as a resistance movement, was bound to violence. More than that, it needed the legitimization of jihad.[186] But the unconditional continuation of its attacks against Israel could have led to a massive rejection of Hamas itself because the public would have seen Hamas as a saboteur of the popular peace process.[187] However, the renunciation of violence would have deprived Hamas of its legitimacy incorporating jihad. More important, it would have carried the inherent risk of neutralizing Hamas' identity, and complete containment by its opponent Fatah and the newly established PA.[188] The path chosen by Fatah and the PLO, to actively join the peace process, was not an option for Hamas. The question was how to maintain support and legitimacy. In order to secure its very existence, Hamas was compelled to adapt to the situation. This meant that Hamas had to keep its identity, while at the same time maintaining public support and adapting its actions to the constraints of the new political conditions.

Hamas had to cope with several problems. The intifada had been the most favorable condition for Hamas' development and to become a popular alternative to the PLO.[189] Oslo put the intifada to an end; therefore, Hamas needed to adapt to the situation in order to maintain its position. More severe was the problem of jihad. As the Hamas Charter shows, defensive jihad is at the very core of its identity. The Oslo Peace Accords made it difficult to legitimize jihad for the Palestinian cause if the Palestinians agreed to peace. Additionally, the rejection of the armed struggle and adherence to the peace

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[185] Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 16: Armed Attacks, Negotiations, Jenin Proposal, Elections, Economic Situation, and the Palestinian-Jordanian Relations, March 16-18, 1995," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/cprspolls/95/poll16a.html (accessed November 7, 2008).

[186] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 67.

[187] Ibid., 67.

[188] Ibid., 68; Gruber, *Hamas: Pragmatic Ideology*, 1, 5.

[189] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 67.

process implied the threat of being contained and controlled by the PLO and the PA.[190] Hamas decided to follow two lines of operations. To preserve its support, Hamas officially announced the Oslo Accords as illegitimate and tried to increase public opposition.[191] Due to the broad support for the Accord, Hamas carefully avoided being blamed for sabotaging the process.[192] To legitimize its twofold strategy, the movement declared that it was willing to follow any peaceful solution, but that the offers in the peace talks were invalid.[193] Therefore, the agreement did not present peace but only a continuation of oppression. This put Hamas in a position as a defender of real peace for the Palestinians and legitimized continued violence against the oppression.

The first part of the strategy was the continued use of violence. Hamas tried to present its violence as retaliation for Israeli attacks. Hamas responded to events and exploited opportunities, such as the 1994 massacre in Hebron. Thereby, Hamas' actions were justified as defensive and not as directly against the popular peace process. This was hoped to preserve the source of Hamas' legitimacy, jihad, while at the same time avoiding any damage to its popularity.[194] As an example, Hamas suspended its attacks in 1995 in order not to disrupt the Israeli withdrawal and harm its own population.[195] Hamas had to consider both sides of the situation. As a poll from 1995 showed, support for armed attacks against Israel was given, but at the same time, a peace agreement was also popular.[196] By continuing the armed struggle, Hamas was able to preserve its identity and its legitimacy because its definition of the illegitimate peace further allowed defensive jihad.[197] Furthermore, the use of violence was aimed at sabotaging the peace

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[190] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 68.

[191] Ibid., 69, 81.

[192] Ibid., 69, 81; Gruber, *Hamas: Pragmatic Ideology*, 1, 5.

[193] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 203.

[194] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 81.

[195] Ibid., 73.

[196] Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 16: Armed Attacks, Negotiations, Jenin Proposal, Elections, Economic Situation, and the Palestinian-Jordanian Relations, March 16–18, 1995*; Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 205.

[197] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 67.

process and changing the conditions in favor of Hamas.[198] In the course of events, this part of the strategy was valuable to some extent. Hamas' continued violence gained support because it was perceived as the only means to defend against the perceived disproportionate Israeli use of retaliation.[199]

The second part of the strategy concerned political activities. Hamas was fully aware that success of its "sabotage" of the peace process was limited.[200] Hamas was competing against the PLO, and Fatah, and had to cope with the growing popularity of Arafat and the PA. The circumstances favored Hamas' competitors. International support, the popularity of the Peace Process, and Israel's position toward the PA and against Hamas weakened Hamas' position. Furthermore, Hamas' "strategic depth" was limited by the declining number of supporters.[201] Another circumstance was Hamas' internal weakness. The Oslo period revealed the tension within the leadership. An example of this is the internal 1992 discussion about the participations in elections for the PA. An internal bulletin[202] shows that Hamas thoroughly examined its possibilities in political participation. Nonetheless, the argument between the hardliner and the moderate leadership, ended with the decision not to participate.[203] A reason for that was the intention of the external leadership not to strengthen the internal, moderate leadership too much. Furthermore, the assessment of the outcome of the 1995 elections was in favor of Arafat and the PA. As a conclusion, Hamas assessed that its likely defeat in elections would further weaken its position by revealing its weak stance to the public. In this view, the participation would have been suicidal.[204] However, its weak position "made its policy of adjustment a preferable option to both Hamas's 'inside' and 'outside'

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[198] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 208.

[199] Ibid., 217.

[200] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 105.

[201] Ibid., 105.

[202] Ibid., 122 -130.

[203] Ibid., 134, 135.

[204] Ibid., 145, 133.

leaders."[205] Thereby, Hamas maintained its cohesion, which could have been at risk if the decision had led to a militant escalation of violence.[206] Hamas tried to maintain its position of opposition while at the same time trying to exploit the opportunities of gaining political influence by elections.[207] It did not participate as an organization in the 1995 elections, but encouraged its members to participate on an individual basis.[208] As a result, Hamas was able to maintain its identity, cohesion, and its legitimacy. Hamas' decisions about political participation were guided by three questions:[209] First, does participation help to maintain the group's own position? Second, how to exploit opportunities without neutralizing its own position as opposition by recognizing the PA? Third, what are the internal goals of the different leadership to keep their power? These questions show some patterns of behavior, which can be found in the leadership. The internal leadership, opposed to direct threat, was more willing to establish cooperation and legal political participation (as a statement of Sheik Yassin shows)[210] and power sharing with the PA. The external leadership, which included the leaders of the militant wing, insisted on participation in armed struggle.[211] The course of events clearly showed a dominance of the hardliner, external leadership, over the internal moderates. The internal political leadership had only limited influence over the military wing and was weakened by the arrest of its important leaders like Sheik Yasin.[212] Furthermore, as shown, the external leadership controlled funding and had the loyalty of the military wing. Although, the dominating leadership was aware of the movement's limitations compared to the PA, due to circumstances the militant and external leadership rejected

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[205] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 167.

[206] Ibid., 166.

[207] Ibid., 131, 136.

[208] Ibid., 136.

[209] Ibid., 146.

[210] Ibid., 132.

[211] Ibid., 71.

[212] Ibid., 76.

any participation with the PA. Their aim was to maintain Hamas as an armed resistance force. Therefore, Hamas carried on with violence.[213]

While following this policy of adjustment, Hamas had to deal with its competitors. The increased international pressure to stop the terrorist attacks forced the PA to deal with Hamas. The PA's position was twofold. On the one side, the PA tried to stop Hamas' violence in order to cope with international demands. On the other side, the PA tolerated Hamas in order strengthen Arafat's position in the negotiations with Israel as the trustworthy Palestinian representative.[214] The Hamas tried to avoid a direct confrontation with the PA and at the same time secure its position. However, Hamas engaged in negotiations with the PA. Due to the fact that the position of Hamas, not to abandon armed combat, and the PA's position were incompatible, there was no success in the negotiations. Nonetheless, Hamas had to back down because of the dominant position of the PA. Therefore, Hamas agreed not to conduct any attacks from PA territory; at the same time, it was able to act from Israeli controlled territory. This allowed the movement to continue attacks against Israel. In the end, this allowed Hamas to sustain the legitimacy for its actions and even more importantly to maintain its identity.[215] Besides talks with the PA, Hamas continued to criticize the Accords as illegitimate and unjust.

The Oslo Peace Accords and their aftermath show that "Hamas had calculated its strategy on a cost–benefit basis and so now was trying to avoid a slide into absurdity in its effort to realize its objectives. Hamas recognized the limits of its power… jihad turned out not to be an ultimate goal but a political instrument wielded by political considerations."[216] Five facts emerge from that recognition. First, prior to the Oslo Peace Accords, Hamas expanded and left the clandestine sphere. This implied that it depended even more on public support and legitimacy. Second, due to the vitality of the public support for the movement's survival, maintenance of the organization was a main

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[213] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 72.

[214] Charles D. Smith, *Palestine and the Arab-Israeli Conflict*, 4th ed. (Boston: Bedford/St. Martin's, 2001), 445–448.

[215] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 74–75.

[216] Ibid., 64.

concern in the group's decision making and a necessary contribution to the protection of the group's center of gravity. The decision making revolved around the questions of how to maintain its position and how to contribute to further achievements. The answers to these questions depended on the respective leadership: hardliner or moderate. Third, Hamas adapted to the circumstances in order "to live with the post-Oslo reality without recognizing Israel…" and "to play the role of a 'positive' opposition to the ruling power, focusing on social, economic, and political grievance that would underscore—and legitimize—its separate existence."[217] Fourth, violence is a political means and its use depends on a cost–benefit analysis. Furthermore, the use of violence did not exclude political participation. Hroub showed that besides the adherence to violence, Hamas was aware of the political power and legitimacy that can be derived from elections and participation.[218] As he further showed, Hamas regularly and successfully participated in student and professional association elections, as well as in municipal elections.[219] Fifth, Hamas' decision making was strongly influenced by its leadership. Two general positions are discernible. The internal leadership (leaders inside Palestine) are directly exposed to threats and challenges and more willing to moderate. The external leadership (like the members of the Political Bureau in Syria) is more willing to adhere to a strong opposing position. Thereby the militant leadership is more loyal to the external leadership and more willing to adhere to violence. Moreover, the tension between the two factions is a permanent threat to the movement's cohesion.[220]

The Hamas decision to take a counter-position to the peace process and oppose its competitors was based on necessities. However, the course of events, including the stalemate in the peace process and the obvious inability of the PA to govern Palestine contributed to Hamas' stance. With the outbreak of the al-Aqsa intifada, the situation again changed, this time in favor of Hamas.

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[217] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 110.

[218] Hroub, *Hamas: Political Thought and Practice*, 215, 223.

[219] Ibid., 215–224.

[220] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 167.

C. THE AL-AQSA UPRISING

With the violent riots following Ariel Sharon's visit to the Temple Mount, the killing of Muhammad al-Dhurra, and the lynching of two Israeli reservists in Ramallah, the al-Aqsa intifada started in 2000. It marked the end of the declining Oslo Peace process and the resurrection of Hamas' momentum.

As in the first two examples, the first intifada and the Oslo Peace Accord, Hamas responded to situational changes, opportunities and incentives, this time favored by the course of events and the stance it took in the aftermath of the Oslo Accords. Hamas' decisions and actions in the al-Aqsa intifada must be understood in the context of the organization's development following 1995.

Hamas positioned itself in opposition to the PLO and the PA. It sustained its armed resistance, using suicide attacks and addressing these attacks as a response to Israeli violence. Additionally, Hamas tried to extend its influence in an indirect approach. As explained, Hamas officially refused to participate in the 1996 PA elections because it described them as not in favor of the Palestinian cause.[221] On the other hand, Hamas supported individual participation, thereby trying to exploit success in elections and to increase its influence in the administration without officially abandoning its position.[222]

This stance paid off for Hamas due to the failure of the Oslo process and the inability of the PA to govern. The Oslo peace process failed, creating a situation that led to the second intifada and provided a couple of incentives and opportunities for Hamas. At the end of the 1990s, public opinion swung against the PA and the peace process.[223] The "PA had lost much of the popular goodwill it had received upon its arrival."[224] Far

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[221] Shaul Mishal and Avraham Sela, "Participation without Presence: Hamas, the Palestinian Authority and the Politics of Negotiated Coexistence," *Middle Eastern Studies* 38, no. 3 (2002), 18.

[222] Mishal and Sela, *The Palestinian Hamas: Vision, Violence, and Coexistence*, 135, 136.

[223] Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 46: The Peace Process, the "Petition of the Twenty," PLC and PA Performance, Status of Democracy and Corruption, Elections for the President and Vice President, and Political Affiliation." Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/cprspolls/2000/poll46a.html (accessed November 15, 2008).

[224] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 48–49.

away from proceeding with the peace process, the PA and Fatah proved to be inept, corrupt and autocratic rather than pursuing politics in favor of the Palestinian people.[225] Israeli settlements increased, further proving to the Palestinians that the PA was unable to keep its promises.[226] Additionally, Fatah's internal rivalry bolstered an increasing support for Hamas.[227] In general, the situation for all Palestinians changed from the prospect of prosperity by a peace process to the real threat of poverty under an inept government.[228] In summary, all the internal Palestinian developments seemed to prove Hamas' opposition stance correct. Hamas had opposed the Oslo Accord from the beginning, which made its position at the end of the 1990s even more popular. The outbreak of the al-Aqsa intifada finally enabled Hamas to address the majority of Palestinians.[229] Not only did the Palestinians feel a common deprivation from the failure of the peace process, after the escalation of the violence, they felt a common threat from and grievances against the excessive force used by the Israelis.[230] In return, this allowed Hamas to legitimize its excessive suicide attacks against Israeli civilians.

The situation in the dawn of the outbreak of the al-Aqsa intifada offered Hamas a number of opportunities and incentives. First of all, the outbreak of the second intifada allowed Hamas to directly respond in accordance with public opinion. As polls and Jeroen Gunning have shown, the support for suicide attacks increased after the second intifada started.[231] This was the incentive for Hamas to increase the use of violence by accelerating its suicide attacks. This incentive was strengthened by another fact. The actions and counteractions of Israelis and Palestinians created a spiral of violence that

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[225] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 48.

[226] Ibid., 50.

[227] Ibid., 49.

[228] Ibid., 218.

[229] Ibid., 219.

[230] Ibid., 216, 218.

[231] Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 2: The Mitchell Report, Cease Fire, and Return to Negotiations; Intifada and Armed Confrontations; Chances for Reconciliation; and, Internal Palestinian Conditions," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2001/p2a.html (accessed November 15, 2008); Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 217.

had a deep impact on public opinion and favored Hamas. It led to a polarization of the Palestinian society towards violence.[232] The Israeli counteractions radicalized the Palestinian population.[233] Analysis shows that the increasing number of fatalities shifted public support away from more moderate positions towards violence. This helped Hamas and was a disadvantage for moderate factions like Fatah.[234] This did not mean that Hamas became the dominant faction in Palestine, but the growing support for its radical stance clearly helped Hamas because it did not have to make major changes to its course of action and could reach back to a ready militia force.[235] The local experience of fatalities created public opinion in favor of violence in the major part of the society.[236] Additionally, the commonly felt grievances and escalation of violence provided a frame in which Hamas successfully addressed the masses.[237] This also helped Hamas to legitimize the increased use of suicide attacks.[238] The coercive effect of the suicide attacks provoked retaliation and further contributed to the escalation spiral, which in turn paid off for Hamas.[239] Furthermore, Hamas' assessment was that suicide attacks were a successful means to coerce Israeli decisions. Although they provoked Israeli counter actions, suicide attacks were approved by public support and contributed to public support.[240]

A second fact is that Hamas exploited the opportunity to improve its position against the Fatah. The circumstances presented Hamas as a viable option for the

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[232] David A. Jaeger and others, *The Struggle for Palestinian Hearts and Minds: Violence and Public Opinion in the Second Intifada* (Cambridge, MA: National Bureau of Economic Research [2008]), 0.

[233] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 219.

[234] Jaeger and others, *The Struggle for Palestinian Hearts and Minds: Violence and Public Opinion in the Second Intifada*, 4.

[235] Ibid., 4.

[236] Ibid., 4.

[237] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 219.

[238] Ibid., 216.

[239] Robert A. Pape, "The Strategic Logic of Suicide Terrorism," *The American Political Science Review* 97, no. 3 (August 2003), 349.

[240] Ibid., 354, 355.

Palestinian cause while the Fatah struggled with internal discord. Furthermore, Hamas' organization allowed an immediate response, including suicide attacks, while Fatah lacked the capabilities to use violence in the same way, which finally led to the formation of Fatah's Al-Aqsa Martyrs' Brigade in 2000.[241] Hamas was able to gain and maintain the momentum in the al-Aqsa intifada.

Concerning the leadership, the failure of the Oslo Peace Process and the al-Aqsa intifada clearly strengthened the militant leadership and the external leadership that opposed political participation and tended to follow a violent hard-line.[242]

As shown, Hamas was "embedded" in the whole situation prior to and after the beginning of the second intifada. This allowed Hamas to promote its ideology without any logical breaks between ideology and practice. More than that, the al-Aqsa intifada was in accordance with Hamas' concept of defensive jihad. Even more important, the public support for violence against Israel supported Hamas' ideology. This led to the Hamas decision to participate in the al-Aqsa intifada with full force in order to exploit as many opportunities as possible and to improve its stance in Palestine. What can be learned from this example is again Hamas' situational awareness and its decision making based on a cost-benefit analysis. Even though Hamas used violence to its full extent, it was because of an analysis that included "Israeli policies, intra Palestine rivalries, consideration of popular support and internal tensions."[243] Thereby Hamas applied the lessons it had learned during the first intifada and the Oslo period. Hamas was able to initiate violence quickly and to exploit the opportunity to gain public support because the spiral of events between attacks and Israeli counter-measures put hardships on the Palestinian people, which legitimized violence and increased their support for suicide attacks.[244] Due to its use of suicide attacks before the al-Aqsa intifada and its capability of promoting martyrdom as an appropriate measure to defend against Israel, Hamas was

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[241] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 215.

[242] Ibid., 206.

[243] Ibid., 220.

[244] Ibid., 215, 216–217.

able to use these circumstances to gain the public's support. The decision, in light of the al-Aqsa intifada, proved the findings from the 1990s examples that Hamas used its charter for framing but based its decisions on political necessities.[245]

By the time the al-Aqsa intifada came to an end, it had created fertile ground for Hamas. Security and civil services in Palestine were weakened or had broken down, and the civil situation had further deteriorated.[246] Fatah's position was weakened also due to its close ties to the failing Palestinian government. In contrast, Hamas still maintained its charity organizations and provided public support.[247] Additionally, it had gained support during the second intifada as a viable option to the PA, which was perceived as inept and corrupt. When it came to the elections in 2006, the situation started to change. Fatah's popularity increased and the majority of the Palestinians were again in favor of peace and security.[248] This time, the incentives and opportunities led Hamas to participate with a political party in the 2006 elections. The results are known. Nonetheless, Hamas had not gained major support but campaigned as a united and legitimate and viable opposition.[249] Together with the elections' system, this resulted in Hamas' success. In contrast to its decision for violence in the wake of the al-Aqsa intifada, this time Hamas saw the opportunity to gain more influence through the political system.[250]

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[245] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 206.

[246] Ibid., 250; International Crisis Group, *Middle East Report no. 71: Inside Gaza: The Challenge of Clans and Families*, 3.

[247] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 250–251.

[248] Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 18: With Optimism Fading, and Three Months After the Completion of the Israeli Unilateral Disengagement from the Gaza Strio Support for a Permanent Settlement Along the Clinton Parameters and the Geneva Initiative Drops but a Large Majority Continues to Support the Hudna and Fateh's Popularity Increases," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2005/p18e1.html (accessed November, 15, 2008).

[249] Palestinian Center for Policy and Survey Research, *Special Poll: On the Election Day for the Second Palestinian Parliament: A Crumpling Peace Process and a Greater Public Complaint of Corruption and Chaos Gave Hamas a Limited Advantage Over Fateh, but Fragmentation within Fateh Turned that Advantage into an Overwhelming Victory.*

[250] Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 68.

The post-9/11 security environment caused Hamas to respond to the threat of a war against terrorism against all such assessed groups. Furthermore, Israel used this opportunity for a crackdown on all Palestinian radical movements. Hamas' reaction again proved its character as a rational actor with an Islamic nationalist agenda rather than just another participant in the global jihad.

D. HAMAS IN THE POST-9/11 SECURITY ENVIRONMENT

The terror attacks of 9/11 not only changed the U.S. course of action but also changed the rules of the game for Hamas. The 9/11 attacks brought all radical Islamic movements into the focus of anti-terror countermeasures, whether they were Al-Qaeda partners or not.

Looking at Hamas' roots, its charter, and its center of gravity, shows that Hamas is not an organization with interests or objectives in global jihad, as is Al-Qaeda. Hamas developed within domestic circumstances, the Israeli–Palestinian conflict and derived its momentum from the course of events. Therefore, Hamas as an organization defines its objectives in reference to the Palestinian conflict. Due to this domestic focus, Hamas has no intentions or objectives in participating in global jihad. As explained, Hamas' charter expresses its ideology. This charter is a combination of the idea of an Islamized society with a cause for its own land. This combination of goals has no connection to a global fight against infidels because it is strictly concerned with Palestine. Although Hamas' decisions and actions do not always follow its charter, there is no reason for Hamas to join global jihad. This is also shown by Hamas' center of gravity. Hamas, as a powerful organization, derives its strength out of its capability to influence the course of events in Palestine. Besides funding,[251] the capabilities and requirements Hamas needs are domestically based. Therefore, global jihad has no implications for Hamas. Moreover, to be associated with global jihad and Al-Qaeda poses a threat to Hamas.[252] As Gunning explained, and as can be seen from Hamas' Charter and center of gravity, participation in

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[251] Levitt, *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*, 67–69.

[252] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 227.

the global jihad would have sidelined "the Palestinian question"[253] thereby weakening Hamas' position in Palestine and its cause for a Palestinian state. Additionally, such an association would have increased the efforts to crackdown on Hamas beyond what Israel was already doing. As a matter of fact, Hamas' leadership tried to avoid any connection with Al-Qaeda.[254] Interviews of Hamas leaders from 2002 support this assessment. The interviewed leaders put their emphasis on the national cause, and tried to stress the fact that Hamas was not engaged in the global jihad.[255] Furthermore, they emphasized that the U.S., in general, was not thought of as an enemy.[256] Moreover, the association with Al-Qaeda could have been an advantage for Hamas' domestic competitors, Fatah and PA. The PA and Arafat tried to improve their position by searching further cooperation with Israel and the U.S.[257] Together with an increased risk of Israeli crackdowns, this threatened Hamas position.[258] Hamas attempted to keep a "low profile" after the attacks of 9/11 and the declaration of the war on terror. It did not respond to Osama bin Laden's comments and condemned violence against innocents.[259] Furthermore, it refrained from violence in the immediate aftermath of the attacks.[260]

What can be taken away from this example again are Hamas' situational awareness and its rationality concerning opportunities for and threats against the organization. A pragmatic strategy would have to suspend all attacks so as to deprive Israel from the opportunity to paint Hamas with the same brush as Al-Qaeda. But, this would have compelled Hamas to give up its identity, to re-define resistance and to transform the movement in such a rapid and radical way that Hamas would have lost its

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253 Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 227.

254 Ibid., 227.

255 Roger Gaess, "Interviews from Gaza: What Hamas Wants / Abd Al-Aziz Rantisi, S(h)Eikh Ahmed Yassin, Ismail Abu Shanab, Mahmoud Al-Zahar," *Middle East Policy* 9, no. 4 (2002), 103, 106, 106–107, 111.

256 Ibid., 113–114, 115.

257 Charmaine Seitz, "Hamas Stands Down?" *Middle East Report* 221, no. 31 (Winter 2001), 4, 4–5.

258 Ibid., 5.

259 Ibid., 6.

260 Ibid., 5.

cohesion and its sustainability. If Hamas had adhered to a violent course of action only, it would have used the opportunity of 9/11 to promote violence. Palestinian public support for violence was still strong, and moreover, the majority did not assess Palestinian armed action against Israel as terror.[261] But, in contrast, Hamas seemed to be sensitive about public opinion, which was at that time, swaying between support of violence and de-escalation.[262] As far as Hamas' objectives and its center of gravity are concerned, any support of global jihad would have been counterproductive. Rather than joining the terrorist cause of global jihad, Hamas tried to avoid becoming a major target and to maintain its position. Moreover, the focus on the Palestinian domestic struggle gave Hamas' position continuity in further developments. As Gunning and polls showed, the public opinion turned away from the support of violence towards a ceasefire and negotiations.[263] Thereby, the growing number of supporters for a ceasefire and negotiations also included a growing number of Hamas members.[264] Had Hamas joined the course of global jihad, it would have been difficult to maintain the movement's cohesion and to respond to the changes in the Palestinian domestic circumstances.

Hamas' response after the attacks of 9/11 was the attempt to keep it out of the "main target area" of the global war against terrorism and sustaining its position in Palestine. Although Hamas suffered losses due to Israeli operations after 9/11, it

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[261] Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 3: Palestinians Support the Ceasefire, Negotiations, and Reconciliation between the Two Peoples but a Majority Opposes Arrests and Believed that Armed Confrontations have Helped Achieve National Rights," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2001/p3a.html (accessed January 19, 2009).

[262] Ibid.

[263] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 227, 228; Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 4: Palestinians Give Less Support for Bombing Inside Israel while Two Thirds Support the Saudi Plan and 91% Support Reforming the PA, but a Majority Opposes Arrests and Opposes the Agreements that to Ending the Siege on Araft's Headquarter, Nativity Church, and Preventive Security Headquarter," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2002/p4a.html (accessed January 19, 2009).); Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 6: While Indicating Important Shifts in Palestinian Public Attitudes Toward the Intifada and the Peace Process, PSR Polls shows Significant Support for the Appointment of a Prime Minister and Refusal to Give Confidence in the New Palestinian Government," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2002/p6a.html (accessed January 19, 2009).

[264] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 228.

sustained its position. In the further course of events, this position was the starting point to cope with circumstances that again turned away from armed resistance towards progress in the peace process and political participation. This set the stage for Hamas' participation in the 2006 elections.

E.   HAMAS, THE 2006 ELECTIONS AND THE COALITION GOVERNMENT

Hamas carefully assessed its opportunities, not only for armed combat, but also for political participation. In the post-9/11 environment, this led to Hamas' participation in the 2006 elections.

As early as 2002, the leadership had not excluded participation in elections.[265] Still, then, Hamas accused the PLO and the PA of ruling against the Palestinians by following the "Oslo regime" and said their elections were not just.[266] This stance was in accordance with Hamas' position during Oslo and the second intifada. Due to the fact that this position did not reject political reconciliation in general, it was easy for Hamas to again adapt to the changing circumstances. Three developments were of importance. First, while the support for the PA had been steadily declining since 2002 and the majority assessed the government as inept and corrupt, public support also shifted towards a new peace process and the end of violence.[267] Second, after Arafat's death in 2004, the political system and the 2006 elections presented new opportunities to Hamas for political participation, while the adherence to violence became more difficult. Third, the overall political solution favored the more moderate leaders. The moderate leaders were able to gain support within Hamas for political participation because the situation offered the chance to improve Hamas' position in Palestine. Based on these

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[265] Gaess, *Interviews from Gaza: What Hamas Wants / Abd Al-Aziz Rantisi, S(h)Eikh Ahmed Yassin, Ismail Abu Shanab, Mahmoud Al-Zahar*, 102, 112, 113.

[266] Ibid., 113.

[267] Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 15," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2005/p15a.html (accessed March 2, 2009); Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 16," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2005/p16a.html (accessed March 2, 2009).

developments, Hamas decided to participate in the elections. With its participation Hamas maintained its cohesion and successfully addressed concerns about public opinion. This was one reason for its success.

Public support shifted from support of violence towards support of the peace process and a cease fire.[268] This was not an immediate shift in public opinion, but a process. Three things are of importance when looking at public opinion.[269] While the public support for violence steadily declined and the support for a ceasefire and negotiations increased, armed combat was assessed as a contributor to the Palestinian cause. This gave Hamas, in general, a good reputation. However, this was not enough to

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[268] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 227, 231; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 4: Palestinians Give Less Support for Bombing Inside Israel while Two Thirds Support the Saudi Plan and 91% Support Reforming the PA, but a Majority Opposes Arrests and Opposes the Agreements that to Ending the Siege on Araft's Headquarter, Nativity Church, and Preventive Security Headquarter*; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 6: While Indicating Important Shifts in Palestinian Public Attitudes Toward the Intifada and the Peace Process, PSR Polls shows Significant Support for the Appointment of a Prime Minister and Refusal to Give Confidence in the New Palestinian Government*; Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 12: In the Context of the Sharon Engagement Plan, Wide Support for the Egyptian Initiative and various Forms of International Presence, but Ending Armed Attacks from the Gaza Strip is Contingent on a Full Israeli Withdrawal from it." Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2004/p12a.html (accessed January 20, 2009); Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 14: First Serious Signs of Optimism since the Start of Intifada," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2004/p14a.html (accessed January 20, 2009); Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 18: With Optimism Fading, and Three Months After the Completion of the Israeli Unilateral Disengagement from the Gaza Strip Support for a Permanent Settlement Along the Clinton Paramaeters and the Geneva Initiative Drops but a Large Majority Continues to Support the Hudna and Fateh's Popularity Increases.*

[269] Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 4: Palestinians Give Less Support for Bombing Inside Israel while Two Thirds Support the Saudi Plan and 91% Support Reforming the PA, but a Majority Opposes Arrests and Opposes the Agreements that to Ending the Siege on Araft's Headquarter, Nativity Church, and Preventive Security Headquarter*; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 6: While Indicating Important Shifts in Palestinian Public Attitudes Toward the Intifada and the Peace Process, PSR Polls shows Significant Support for the Appointment of a Prime Minister and Refusal to Give Confidence in the New Palestinian Government*; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 12: In the Context of the Sharon Engagement Plan, Wide Support for the Egyptian Initiative and various Forms of International Presence, but Ending Armed Attacks from the Gaza Strip is Contingent on a Full Israeli Withdrawal from it*; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 14: First Serious Signs of Optimism since the Start of Intifada*; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 18: With Optimism Fading, and Three Months After the Completion of the Israeli Unilateral Disengagement from the Gaza Strip Support for a Permanent Settlement Along the Clinton Parameters and the Geneva Initiative Drops but a Large Majority Continues to Support the Hudna and Fateh's Popularity Increases.*

bolster support for Hamas, as the declining support in polls from 2004 and 2005 indicated.[270] Second, the growing support for a ceasefire and revived negotiations, as well as the Israeli decision to withdraw from the Gaza Strip, made it difficult for Hamas to legitimize its violence as defensive jihad. As the polls indicated, support for Hamas' attacks steadily declined. Hamas' decisions to accept ceasefires in 2003 and 2005 showed that Hamas tried to cope with this change. As during the Oslo Peace Accords, Hamas tried not to be blamed as a saboteur of any agreements.[271] Moreover, Hamas also benefited from the Israeli withdrawal from the Gaza Strip by better inner Palestinian freedom of action. Due to this, Hamas had a particular interest in complying with the agreements.[272] Finally, while public opinion shifted toward peace, the support for the PA steadily declined as the civil situation in Palestine further deteriorated.[273] This paid off for Hamas in the later course of events since it had refused to join the PA because of its connection to the Oslo Accords, which had been rejected by Hamas. When the Palestinian political system opened, after Arafat's death, this stance allowed Hamas to participate politically as an opposition without diverging from its former position.

The second development, already mentioned, was the change in the Palestinian political environment. Since 1996, the Palestinian governmental administration had been dominated by Hamas' prime rival, the Fatah. Political positions had been filled by

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[270] Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 14: First Serious Signs of Optimism since the Start of Intifada*; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 18: With Optimism Fading, and Three Months After the Completion of the Israeli Unilateral Disengagement from the Gaza Strip Support for a Permanent Settlement Along the Clinton Parameters and the Geneva Initiative Drops but a Large Majority Continues to Support the Hudna and Fateh's Popularity Increases*.

[271] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 231–235.

[272] Ibid., 233.

[273] Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 13: After Four Years of Intifada, an Overwhelming Sense of Insecurity Prevails among Palestinians Leading to High Level of Support for Bombing and Rockets Attacks at the One Hand and to High Levels of Demand for Mutual Cessation of Violence and Questioning of the Effectiveness of Armed Attacks on the Other," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2004/p13a.html (accessed January 20, 2009); Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 18: With Optimism Fading, and Three Months After the Completion of the Israeli Unilateral Disengagement from the Gaza Strip Support for a Permanent Settlement Along the Clinton Parameters and the Geneva Initiative Drops but a Large Majority Continues to Support the Hudna and Fateh's Popularity Increases*.

appointment. Elections, neither on the municipality level nor above, took place.[274] Together with Hamas' rejection of joining an Oslo affiliated government, these "frozen" conditions presented no opportunity for Hamas to gain an advantage. Nonetheless, Hamas was fully aware of the power of political legitimacy and had successfully participated in elections below the municipality level.[275] However, this participation did not provide Hamas with overall political power, but did show that Hamas was aware of possible opportunities. In 1996, when Hamas last refused participation in elections, this fact of political participation and the opportunities coming from it were internally discussed.[276] While at that time participation would have been an identity dilemma for Hamas,[277] the 2004–2006 reintroductions of elections presented a different situation. Still, in 2004, Hamas rejected participation in the elections because it saw no chance to compete against the Fatah.[278] Shortly after, with Arafat's death and the following leadership vacuum and the growing support for Hamas, the situation changed. Now, the political system opened for participation with a prospect of success. Additionally, Fatah and Abbas were unable to initiate successful reforms of the political system or to improve law and order or the economic situation.[279] This gave Hamas the opportunity to participate as an opposition.[280] Additionally, gaining political power against Fatah was a common interest, as well, of both the hardliner and the moderate leaders. To participate in elections presented an opportunity to maintain the position Hamas had gained in the al-Aqsa intifada and to cope with the decreasing public support for violence.[281]

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[274] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 144, 145.

[275] Hroub, *Hamas: Political Thought and Practice*, 215–223.

[276] Ibid., 225, 227.

[277] Ibid., 227.

[278] Hroub, *A New Hamas through its New Documents*, 6, 7.

[279] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 6.

[280] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 145, 146.

[281] Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 18: With Optimism Fading, and Three Months After the Completion of the Israeli Unilateral Disengagement from the Gaza Strip Support for a Permanent Settlement Along the Clinton Parameters and the Geneva Initiative Drops but a Large Majority Continues to Support the Hudna and Fateh's Popularity Increases.*

The third development in Hamas move towards political integration was the shift of the momentum from the hard-line to the moderate approach. In the course of events in the intifada, the military wing had been weakened by Israeli countermeasures and improved intelligence.[282] Furthermore, Hamas had to compensate for the loss of senior leadership members due to their arrests by Israel.[283] While the containment of its militant activities and the arrests did not neutralize the organization as a whole, they decreased the capabilities for armed operations and options for the hardliners. Furthermore, Iran did not provide backup for the maintenance of full scale militant activities because the reformist Khatami government tried to avoid any provocation of the U.S.[284] Syria, also, did not want to give strong support to Hamas because it was concerned about possible U.S. actions against it. In contrast, Syria tried to exert pressure on Hamas to participate in a ceasefire.[285] These facts further minimized the freedom of action for the hardliner leadership towards more radical options.[286] It is important to note that the decline of the support for violence could also be found within Hamas, which made it necessary for the leadership to cope with this new situation.[287] This decline in the options for armed resistance came along with another fact. The political legitimacy Hamas could gain from elections presented an "insurance policy" against possible repressive actions by the PA.[288] Additionally, the Israeli withdrawal from the Gaza Strip allowed a suitable starting point for political participation because Hamas could claim "credit for having made continued occupation too costly."[289] This contributed to Hamas' claim to contribute to the Palestinian cause. Together with the developments described and

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[282] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 230.

[283] Ibid., 230.

[284] Ibid., 232.

[285] Ibid., 227.

[286] Ibid., 226, 227, 232.

[287] Ibid., 228.

[288] Klein, *Hamas in Power*, 446.

[289] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 233.

Hamas' later actions, there is an indication of a shift of the internal momentum towards political activities away from the adherence solely to armed resistance.

In order to enter into political participation, Hamas needed to develop an instrument to do so, while at the same time preserving its identity as a resistance movement. Hamas' charter defines the movement's identity as a resistance movement and is very idealistic. In contrast to that, participation in elections required Hamas to address the needs and daily life concerns of the Palestinians. To deviate from its Charter by its actions was nothing new for the Hamas, as can be seen from the Oslo period. But, to participate in parliamentary elections required a complete political agenda. While Hamas had already participated in municipal and association elections with individuals or groups, Hamas this time needed a tool for participation that would allow presenting a political agenda. Hamas, as a whole, founded the Change and Reform Party. Thereby, Hamas' political agenda deviates from the original Charter.[290] It is concerned with issues of daily life and governance under current conditions rather than with the ideology of the Charter. The Hamas leadership accepted a dichotomy between its Charter and the opportunities of the situation. Thereby, the decision to participate in politics did not lead to a split in the movement.[291]

Hamas' internal assessment did not foresee the success in the 2006 elections that the movement had. The assessment was that Fatah would win and the new Parliament would continue talks with Israel.[292] However, the political participation was still valuable. Beside the fact of legitimacy, participation provided the movement with the official position of a strong opposition.[293] This was favored by the movement's hardliners.[294] The moderates saw the opportunity of active political participation in the government as the chance to influence politics in accordance with Hamas' political

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[290] Klein, *Hamas in Power*, 450.

[291] Ibid., 449–450.

[292] Ibid., 448.

[293] Klein, *Hamas in Power*, 448.

[294] Ibid., 448.

program.[295] What is important about this program is that it was developed shortly after the decision to form the "Hamas party." Although the program does not go into much detail about how to solve the Palestinian issues, it addresses the fields of governance in which Hamas wanted to participate. The topics range from "administrative reform and fighting corruption," to "social policy" and "youth issues" up to "transport and border crossings."[296] The lack of depth might result from the fact that Hamas did not expect to win. Nonetheless, this electoral platform for the Change and Reform Party indicated Hamas' pragmatism and its willingness to participate in politics apart from solely adhering to violence. Another indicator for this was the fact that Hamas referred to political issues rather than religion as the Hamas Charter does.[297] Furthermore, the selection of the personnel to participate in the elections indicated a willingness for participation. Rather than selecting clerics who would stick to the Islamist Charter, Hamas chose secular professionals.[298] Even as opposition, Hamas' leadership clearly showed the pragmatism of political participation. Another fact that helped Hamas as a whole was its improved position against Fatah. As in Hamas, there were different positions in the Fatah leadership, "the old guard" and the "young guard."[299] While the old guard refused to cooperate with Hamas, the young guard was more willing to cooperate.[300] This shows that Fatah was divided while Hamas managed to maintain the movement's cohesion. Hamas' success in the elections contributed to its position versus Fatah because it deepened the rift between Fatah's old and young guard.[301]

Hamas succeeded in the elections for several reasons. First of all, it maintained its cohesion. Party and movement acted as a unit. The party started as an opposition party

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[295] Klein, *Hamas in Power*, 448.

[296] Hroub, *A New Hamas through its New Documents*, 6, 9–12.

[297] Ibid., 12, 13.

[298] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 164.

[299] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 8.

[300] Ibid., 8.

[301] Ibid., 8.

and could refer back to Hamas' record as a resistance movement, which contributed to its popularity.[302] At the same time, Hamas minimized or halted its armed operation, thereby acting in accordance with the program of the political party.[303] Additionally, the political wing of Hamas could prove that it represented a suitable alternative to the inept PA. As examples from municipal elections, which preceded parliament elections show, the elected Hamas councils were able to improve living conditions and security, two factors in accordance with its program.[304]

Hamas' political program also successfully addressed the concerns of society. The main concerns of the public were security, corruption, the deteriorating economic situation, and increasing anarchy.[305] Hamas' political program clearly addressed these issues.[306] Furthermore, the program added to the perception of Hamas as honest and acting in favor of the Palestinians. This perception came from Hamas' resistance reputation,[307] its opposition stance against the PA and its ongoing charity actions that were maintained after the elections.[308] Another fact contributed to that. Hamas had a

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[302] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 177.

[303] Ibid., 156.

[304] Ibid., 152–153.

[305] Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 13: After Four Years of Intifada, an Overwhelming Sense of Insecurity Prevails among Palestinians Leading to High Level of Support for Bombing and Rockets Attacks at the One Hand and to High Levels of Demand for Mutual Cessation of Violence and Questioning of the Effectiveness of Armed Attacks on the Other*; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 18: With Optimism Fading, and Three Months After the Completion of the Israeli Unilateral Disengagement from the Gaza Strip Support for a Permanent Settlement Along the Clinton Parameters and the Geneva Initiative Drops but a Large Majority Continues to Support the Hudna and Fateh's Popularity Increases*; Palestinian Center for Policy and Survey Research, *Special Poll: On the Election Day for the Second Palestinian Parliament :A Crumpling Peace Process and a Greater Public Complaint of Corruption and Chaos Gave Hamas a Limited Advantage Over Fateh, but Fragmentation within Fateh Turned that Advantage into an Overwhelming Victory*; Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 151.

[306] Hroub, *A New Hamas through its New Documents*, 6, 6, 9–15.

[307] Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 6: While Indicating Important Shifts in Palestinian Public Attitudes Toward the Intifada and the Peace Process, PSR Polls shows Significant Support for the Appointment of a Prime Minister and Refusal to Give Confidence in the New Palestinian Government*.

[308] International Crisis Group, *Middle East Report no. 62: After Mecca: Engaging Hamas*, 28; Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 153.

greater "institutional presence" in urban areas.[309] Together with its coordinated, cohesive, and guided campaign, it was therefore able to appeal to a greater number of voters. In contrast to that, Fatah had stronger support in the rural areas.[310]

The third reason for political success was that Hamas acted cohesively, but also presented its candidates this way. Whereas Fatah participated in the elections with many candidates, Hamas limited its number of candidates. The fewer candidates were assessed as having a better chance to win. Total votes for Fatah were divided between a large number of candidates because of its own internal divisions. Hamas was able to consolidate the received votes for its candidates.[311] Together with its campaign, this contributed to Hamas' victory.[312]

In its own assessment, the victory caught the Hamas leadership by surprise.[313] Rather than acting out of the safe position of a legitimized opposition, it now had to participate in the government and had to keep its promises.

The momentum was with the moderates within Hamas. Concerning its rival Fatah, the defeat in the elections shifted the internal moment towards the "young guards" or "inclusionists" who were willing to cooperate with Hamas.[314] That this mutual cooperation was a viable alternative is shown by two documents: The Prisoners Documents, which later became the National Reconciliation Document and the Mecca Agreement.

In the Prisoners Document, both sides agreed on cooperation. Although this document was rejected by the hardliners, they were compelled to accept this cooperation

[309] Gunning, *Hamas in Politics: Democracy, Religion, Violence*, 148–150.

[310] Ibid., 149.

[311] Ibid., 154.

[312] Ibid., 154; Palestinian Center for Policy and Survey Research, *Special Poll: On the Election Day for the Second Palestinian Parliament: A Crumpling Peace Process and a Greater Public Complaint of Corruption and Chaos Gave Hamas a Limited Advantage Over Fateh, but Fragmentation within Fateh Turned that Advantage into an Overwhelming Victory.*

[313] Klein, *Hamas in Power*, 442, 448; Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 8.

[314] Ibid., 8.

due to the circumstances. This is shown in an interview with Khalid Mishal who presented the document as a cohesive document[315] and the fact that Hamas showed its willingness to cooperate with a proposed National Unity Government Program.[316] The Prisoners Document, in particular, showed that cooperation was assessed as the best way for[317] Hamas to cope with its own unpreparedness to govern and with the strong public support for a unity government.[318] Another important fact is that these documents showed that Hamas was able to moderate towards a two-state solution.[319] Hamas, of course, did not officially accept the two-state solution in order to preserve its identity.[320] Again, this shows Hamas' ability to temper its identity with practical necessities. Furthermore, it shows the influence of the leadership. While the hardliners assessed the political victory as an opportunity to consolidate the movement's position, which still did not exclude violence, the moderates saw the opportunity of state-building with a Hamas influence.[321] Nonetheless, the two documents and the Mecca Agreement indicate that the moderates had the momentum and the chance for political inclusion in a Palestinian government was at hand. Furthermore, public support for reconciliation and a unity government gave further enhancement to political participation.[322] In the Mecca Agreement, both sides compromised on a combined government. However, after the

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[315] Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 73.

[316] Hroub, *A New Hamas through its New Documents*, 6, 6, 15.

[317] Ibid., 15.

[318] Ibid., 15; Palestinian Center for Policy and Survey Research, "Palestinian Public Opinion Poll no. 23: An Overwhelming Majority is Satisfied with the make-Up of the National Unity Government but the Public is Split into Two Equal Halves with Regard to its Acceptance of the Quartet Conditions and almost Three Quarters are in Favor of the Saudi Initiative," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2007/p23e1.html (accessed January 25, 2009).

[319] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 9; Hroub, *A New Hamas through its New Documents*, 6, 17.

[320] Ibid., 15.

[321] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 9.

[322] Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 23: An Overwhelming Majority is Satisfied with the make-Up of the National Unity Government but the Public is Split into Two Equal Halves with Regard to its Acceptance of the Quartet Conditions and almost Three Quarters are in Favor of the Saudi Initiative*.

formation, each side might have tried to dominate the other, but the fact that a hardliner like Mishal depicted the Mecca Agreement as a viable solution further indicated that a political process with a unity government could be possible.[323] Even after the unity government failed, Hamas' cabinet platform shows that political participation and cooperation was still possible.[324] This further indicated that the moderate leaders still had opportunities to act without putting the movement's identity at risk by moderating between the necessity of international acceptance and Hamas' basic tenets.[325]

The unity government failed because of the missing international acceptance. The Quartet's rejection of Hamas' moderates and its imposed isolation shifted the momentum back to the hardliners. Concerning Fatah, it allowed Abbas to act unilaterally and exploit the situation to improve Fatah's position, which in turn triggered Hamas' response with violence to secure its own position.[326] This ended the short cooperation between the moderates.[327] Furthermore, it diminished the freedom of action for Hamas' moderates. Hamas could not make the strategic shift demanded by the international community because this would have inevitably led to a split away from the movement's identity.[328] The isolation approach failed to identify Hamas' center of gravity. The moderation Hamas showed after the elections was the compromise between preserving the movement's identity while at the same time maintaining its center of gravity. Instead of fostering moderate tendencies, the isolation approach forced even the moderate leaders to reject further political participation.[329] The isolation completely failed. Public opinion

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[323] Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 73.

[324] Hroub, *A New Hamas through its New Documents*, 6, 19–22.

[325] Ibid., 20, 22.

[326] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 9.

[327] Ibid., 16.

[328] International Crisis Group, *Middle East Report no. 62: After Mecca: Engaging Hamas*, 30; Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 12.

[329] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 12.

did not turn against Hamas.[330] On the contrary, it bolstered the hardliners in Hamas who could now argue that Hamas was acting from a legitimized position.[331] In turn, this again opened up the options for violence. The hardliners regained momentum and manifested their position in the violent clashes between Hamas and Fatah throughout 2007. The next chapter shows that this situation diminished further possibilities of moderation and led to the latest escalation of the conflict.

The 2006 elections and the short period of Hamas-Fatah cooperation demonstrate two important facts.

First, this period is the demonstration of Hamas' rational decision making. It is important to see the impact of the situational circumstances. Before and after the elections, the circumstances provided incentives for moderate behavior, which was accepted even by the hardliners. The response to situational incentives makes Hamas' behavior, to some extent, predictable.

Second, while Hamas was responding to incentives, it was nonetheless a cohesive movement with a common identity. Its stance against the Oslo Accords and the PA combined its resistant character, as defined in its Charter, with the role of political opposition. Therefore, Hamas was able to use the opportunities for political participation without giving up its character, as an opposition factor, which helped maintain the movement's cohesion. The opposition stance made it easier to moderate between its Charter and real activities because as an opposition Hamas still rejected preceding political agreements (like the Oslo Accords), which coped with Hamas' resistance identity. In the elections, Hamas' aim was to secure its gained position. Therefore, it had to maintain its center of gravity, which required cohesion and adherence to its identity, laid down in its charter. This prevented Hamas from a full transformation. Nonetheless, it shows that Hamas was able to temper its identity with practical necessities. Furthermore, it opened the possibility for moderation and inclusion in a true political process.

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[330] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 7; International Crisis Group, *Middle East Report no. 62: After Mecca: Engaging Hamas*, 28.

[331] Ibid., 28.

F. THE CONSOLIDATION OF POWER AND THE ROAD TO THE DECEMBER 2008–JANUARY 2009 ESCALATION

1. The Takeover

The failure of the unity government shifted the momentum in Hamas back to the hardliners. In this new situation, Hamas had to cope with different challenges. First, Hamas had to compete against its competitors, foremost the PA and Fatah. Second, Hamas had to continue to govern and to prove its viability in order to maintain public support. Third, it had to cope with complete isolation of the Gaza Strip. The hardliners, who already had assessed the 2006 election victory as an opportunity to consolidate Hamas powers,[332] dominated Hamas' decisions and actions after the failure of the unity government.

The new situation after the unity government's failure and the imposed isolation left Hamas with the risk of being contained by the Fatah, which was supported by the Middle East Quartet and to some extent by Israel.[333] Even if Hamas' leaders declared their willingness to restart negotiations with the Fatah,[334] the rejection of this by Fatah allowed freedom of action by the Hamas hardliners.[335] Public opinion at that time was caught between these two positions.[336] In order to compete against Fatah, it was necessary for Hamas to secure its own area of influence. As the polls from 2007 show,

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[332] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 9.

[333] Auswärtiges Amt, "Yom Huledet same'akh! "–Herzlichen Glückwunsch: TRIBÜNE-Gespräch Mit Bundesaußenminister Frank-Walter Steinmeier," Auswärtiges Amt Bundesrepublik Deutschland, http://www.auswaertiges-amt.de/diplo/de/Infoservice/Presse/Interviews/2008/080514-BM-Tribuene.html (accessed January 26, 2009).

[334] Hroub, *A New Hamas through its New Documents*, 6, 19–22.

[335] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 12; International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 1.

[336] Palestinian Center for Policy and Survey Research, "Palestinian Public Opinion Poll no. 25," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2007/p25e1.html (accessed January 27, 2009).

Hamas' stronghold was the Gaza Strip.[337] The hardliners already had assessed the election victory as an opportunity to consolidate power, but did not exclude inner Palestinian violence.[338] As a logical consequence, Hamas decided to consolidate its power in its stronghold, the Gaza Strip. With the hardliners in the lead, this meant a crackdown of its opponents. The hardliner leadership explained this decision as an act of self defense.[339] But, instead of being an act of self defense, the takeover was a logical combination of having missed incentives for political participation, hardliner dominance inside Hamas, and the intensifying intra-Palestinian power struggle. The takeover of the Gaza Strip was a concerted and well organized action.[340] Far away from pure self-defense, Hamas' actions included not only a crackdown on its opponents but also the installation of Hamas' power in government administration and public service.[341]

Regarding the crackdown on opponents, Hamas' first strike was against its main opponent, Fatah. When Hamas assumed control over the Gaza Strip in 2007, it did not terminate all of Fatah's resistance. While Hamas, in 2007, focused its first strikes to take over the PA installations, in 2008 it focused on the neutralization of all Fatah capabilities.[342] Thereby, Hamas directly targeted the clans that were related to Fatah. This fact deserves more attention. Palestinian politics is connected with family politics.[343] Hamas, as well as the Fatah, used to recruit from clans.[344] With this, the clans gained more and more power during the al-Aqsa intifada and were able to fill the power

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[337] Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 25*; Palestinian Center for Policy and Survey Research, "Public Opinion Poll no. 26," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2007/p26e1.html#main (accessed January 26, 2009).

[338] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 9.

[339] Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 74.

[340] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 1.

[341] Ibid., 1.

[342] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 2.

[343] International Crisis Group, *Middle East Report no. 71: Inside Gaza: The Challenge of Clans and Families*, 1.

[344] Ibid., 10.

gap, which the PA left when it failed to govern.[345] Thereby, the clans established zones of autonomy with their own informal justice.[346] Furthermore, clans are involved in businesses like smuggling, and illegal checkpoints, thereby further degrading public security and the ability to govern.[347] Due to these facts, Hamas attacked the most influential clans in 2008. While targeting the clans associated with Fatah, Hamas was able to neutralize the Fatah's capabilities in the Gaza Strip.[348] Second, in the face of the isolation, the clan militias themselves imposed a threat to Hamas because they were able to counter Hamas in its attempt to present itself as the legitimized government and "to implement its policies."[349] A third reason was the effect that the neutralization of clan rules and the establishment of some kind of law and order contributed to Hamas.[350] This, in turn, contributed to Hamas' attempt to govern. After Hamas cracked down on Fatah in 2008, it also turned against other opponents such as the Popular Front for the Liberation of Palestine (PFLP) or Islamic Jihad.[351] Still Hamas' leadership was able to combine this inner Palestinian violence with its identity. By declaring its aggression as an act of self defense and the fight for a unified political system, Hamas was able to combine its actions with the Palestinian cause of its charter.[352] This violent neutralization of its opponents shows that Hamas hardliners were leading and dedicated to consolidating Hamas as the sole power in the Gaza Strip. Again, this shows that Hamas as an organization assesses its opportunities and possibilities under given circumstances. Due to the fact that isolation and the failure of the unity government more or less favored resistance only, Hamas decided to secure its position by using violence.

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[345] International Crisis Group, *Middle East Report no. 71: Inside Gaza: The Challenge of Clans and Families*, 3, 1.

[346] Ibid., 7.

[347] Ibid., 4.

[348] Ibid., 16; International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 2, 7.

[349] International Crisis Group, *Middle East Report no. 71: Inside Gaza: The Challenge of Clans and Families*, 15, 10, 11, 12, 1.

[350] Ibid., 1, 17; Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 26*, 1.

[351] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 6–7.

Two more facts are of importance in this concern: the ceasefire Hamas agreed on with Israel in July 2008 and public support. The ceasefire worked in three directions. First of all, Hamas needed to improve the economic situation in Gaza in order to govern. Therefore, it needed the truce to let Israel open the borders.[353] In the long run, this attempt failed. Second, the truce enabled Hamas to concentrate its forces on the inside and to conduct a takeover. Furthermore, the maintenance of the truce, although it was fragile, was necessary for Hamas to maintain law and order in the Gaza Strip and to contain fighting its opponents.[354] Third, as the government needed to prove its ability to govern it needed to establish connections to the international community.[355] Although this attempt failed due to the maintained isolation, the truce showed Hamas' willingness to negotiate on the international level. Additionally, the truce was supported by public opinion.[356]

The second fact regarding Hamas and political control concerned public support. With its use of decisive force and violence in the Gaza Strip to consolidate its position, Hamas turned against its vital public support. Seemingly irrational, these actions nonetheless followed a rational assessment of the opportunities. In control of territory, Hamas leaders saw the opportunity to manifest Hamas' rule as a fact and accelerate events. Thereby, in face of the isolation, self protection was the point of main effort.[357] The assessment by the leadership was a "first the sword, then the pen" assessment.[358] Public support would be damaged but could be regained when the people started to support the new government.[359] This assessment did not work. Public opinion polls from

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352 Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 74, 76.

353 International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 12.

354 Ibid., 5, 7.

355 Ibid., 1.

356 Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 29*, 1.

357 International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 15, 16.

358 Ibid., 8.

359 Ibid., 8.

2007 show that the majority of the population rejected Hamas' use of violence.[360] Nonetheless, Hamas did not lose all of its support. Its governance, foremost the establishment of some kind of law and order, the inability of the Abbas administration, and the stalemate of the peace process contributed to Hamas' stance.[361] The decline of public support until the end of 2008 was not a result of Hamas' takeover of governance, but a fact of the continuing deteriorating situation, with no chance for Hamas to change the status quo, and no prospect of a solution.[362] Later, this was one fact that led to the end of the ceasefire and the renewed rocket attacks.

The second challenge facing Hamas was governance itself. As shown by its decision to accept cooperation in a unity government, Hamas was not prepared to take over the full responsibility of a government. Nonetheless, its success in the elections left it with no other choice. Hamas was not able to ignore this fact because the vital support of the public depended on Hamas' success as an administration. Fortunately for Hamas, its limitations in performance were not blamed on Hamas, but on the circumstances.[363] Hamas approached its responsibilities as a government in two directions. First, it took over the administration. Second, it tried to run the economy in spite of the isolation.

Simultaneously, with the crackdown on its opponents, Hamas established some kind of law and order, which worked as the polls indicated.[364] This was not the end of the Hamas takeover. Hamas did not abandon the PA administrative apparatus but assimilated it. It replaced key personnel in all ministries and transformed the administrative

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[360] Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 25*.

[361] Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 26*; Palestinian Center for Policy and Survey Research, "Palestinian Public Opinion Poll no. 27," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2008/p27e1.html (accessed January 27, 2009).

[362] Palestinian Center for Policy and Survey Research, "Palestinian Public Opinion Poll no. 28," Palestinian Center for Policy and Survey Research, http://www.pcpsr.org/survey/polls/2008/p28e.html (accessed January 27, 2009); Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 29*; International Crisis Group, *Middle East Briefing no. 25: Palestine Divided* (Ramallah, Gaza, Brussels: International Crisis Group,[2008]), 15.

[363] Shikaki, *With Hamas in Power: Impact of Palestinian Domestic Developments on Options for the Peace Process*, 7.

[364] Palestinian Center for Policy and Survey Research, *Public Opinion Poll no. 26*, 1; Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 29*.

organizations so it was able to implement its policies through the official apparatus.[365] As a result, Hamas manifested itself as the political power in the Gaza Strip. Two effects derive from this fact. First, the implementation of Hamas' control in the administration contributed to the legitimacy it had gained after the elections and the attempt at the unity government.[366] Second, with its takeover of the administration, Hamas deepened the inner Palestinian division. Hamas' consolidation of power and territory in the Gaza Strip on the one side and the PA control of the West Bank and continued crackdown on Hamas on the other side, established two independent Palestinian governments.[367] Furthermore, while both sides continued to consolidate their power, they used their new positions to compete with each other in their old rivalry. Both sides attained a position that allowed them to use the reconciliation process as a means to continue their struggle."[368] Abbas tried to contain the Hamas' chapters at the West Bank while simultaneously improving the conditions in the West Bank. Hamas manifested its position in the Gaza Strip as a bargaining tool and was playing for time, exploiting the fact that reconciliation had to include Hamas and was pivotal for any progress in the peace process.[369]

Concerning the economy, Hamas' attempt to gain improvements from the truce failed.[370] Throughout 2008, Hamas was still able to provide supplies and basic needs goods by "administering the smuggling." A 2008 report assessed Hamas to be in control of about 90 percent of the tunnels thereby circumventing the isolation.[371] Normal business relations collapsed and Hamas joined new business elites, built up new connections, and gained more influence.[372] In the long run, however, Hamas was not able

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[365] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 8–12.

[366] International Crisis Group, *Middle East Report no. 62: After Mecca: Engaging Hamas*, 28.

[367] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 11; International Crisis Group, *Middle East Briefing no. 25: Palestine Divided*, 11.

[368] Ibid., 1.

[369] Ibid., 1, 7, 11, 15–20.

[370] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 12.

[371] Ibid., 14.

[372] Ibid., 14–15; International Crisis Group, *Middle East Briefing no. 25: Palestine Divided*, 17.

to provide supplies to the Gaza Strip.[373] This situation was not bearable for Hamas because it would have proven their inability as a government to cope with the isolation, and the deprived population would have rejected giving further support that would have weakened Hamas' new consolidated power position. These are other factors that led to the 2009 escalations.

The takeover left Hamas in a new situation. For the first time it controlled territory, which left it with a powerful position in Palestine to compete against its rival, Fatah and to contain its inner Palestinian opponents. Nonetheless, the new situation also left Hamas with some challenges. It had to govern while the isolation and struggle with the PA left it with few options besides resistance to do so. Additionally, the takeover ultimately strengthened its position in the Gaza Strip but left the Hamas chapters on the West Bank and leaders in the reach of the PA and Fatah. Concerning the leadership, the takeover turned the momentum to the political and militant leaders inside the Gaza Strip.[374] This shows, again, that hardliners and moderates are not divided geographically only but can be found throughout the movement. Nonetheless, the new power constellation inside Hamas caused another division in the leadership. While the leadership inside Gaza aimed to maintain the achieved position, the leadership in the West Bank seemed to be more moderate in order to minimize the PA's actions against the West Bank Hamas.[375] In contrast to that, the external leadership tried to regain its overall influence.[376] While the new situation made internal Hamas decision making more complex and no longer a competition between hardliners and moderates only, it did not indicate a split in the movement.[377] Overall, the new position in the Gaza Strip favored Hamas as a whole because it secured Hamas' influence in the Palestinian situation. Even if the leadership were divided concerning the priority of objectives, the movement would

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[373] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 10.

[374] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 15.

[375] International Crisis Group, *Middle East Briefing no. 25: Palestine Divided*, 19.

[376] Ibid., 19.

[377] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 16; International Crisis Group, *Middle East Briefing no. 25: Palestine Divided*, 20.

be able to sustain its center of gravity and would not need to deviate from its identity. Although its political signals for cooperation, reconciliation and the truce were not in total agreement with its charter, Hamas still proved to be a resistance movement. In contrast to the PA and against the isolation it represents the just cause of the Palestinians.[378] Additionally, the movement's sustainability depends on all parts of the movement.[379]

To sum up, Hamas succeeded in consolidating its powers. Even if the leadership was divided about the priority of objectives or the further course of action, the movement maintained its cohesion and manifested itself as a political power. Although not necessarily an unambiguous decision, the further course of events, the continued isolation and the deteriorating situation in Palestine narrowed the further options down to violence.

2.   The Road to Operation "Cast Lead"

It is important to remember that Hamas' actions when making decisions always include the objective to maintain or improve its position. In order to do so, Hamas now includes the opportunities of political participation into its assessments. Originally formed to participate in the armed resistance, Hamas developed and included political participation, as the analysis of the previous cases showed. It used political participation when it contributed to the movement's position but also referred to violence when that supported the organization's course of action. While the leadership was either restricted to moderate behavior or willing to engage in politics, incentives given by circumstances finally influenced the decision to refer to violence or politics.

Concerning the situation in Palestine, two facts that led to the escalations and military operation at the end of 2008 are of importance. First, the declining public support by the population for Hamas and second, the ongoing isolation combined with the deteriorating situation on the ground along with the stalemate of any political process. Additionally, Israel's position contributed to the renewed outbreak of fighting because it

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[378] Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 70, 72, 74.

[379] International Crisis Group, *Middle East Briefing no. 24: Round Two in Gaza*, 16.

had to react to the renewed rocket attacks and had already planned to crack down on Hamas in order to deter it and to degrade its military capabilities.[380]

As shown, the situation after the 2006 elections and the takeover made political participation impossible. Initially Hamas had the intent to participate in politics.[381] The reaction of the international community, Israel, and the PA also prevented this.[382] As shown in the previous analysis of the consolidation of power, this minimized the options for both approaches, hardliners as well as moderates. Hamas as a whole needed to consolidate its power. This was successful. But, to maintain the position it had achieved, it needed to prove the ability to provide governance to the Gaza Strip, which included meeting basic needs. This was the crucial goal Hamas needed to fulfill in order to maintain public support. While Hamas managed to establish law and order[383] it was unable to cope with the isolation.[384] The inability to provide support for basic needs forced Hamas to act. An extension of the truce would have been one option because it would have helped to further manifest Hamas' power position and would have been supported by the public.[385] Nonetheless, to maintain its political position, an extended truce needed to include an end of the isolation. The end of the isolation had been a demand since Hamas agreed on the truce in July 2008. Otherwise, an extension would have only proved Hamas unable to govern.[386] There are indications, however, that this

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[380] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 18; Amir Oren, "Neither Israel nor Hamas can be Choosy in Gaza," Haaretz.com, http://www.haaretz.com/hasen/spages/1054907.html (accessed January 14, 2009); White, *Operation 'Cast Lead': Israel's Assault on Hamas*; David Makovsky, "Israel's Policy Options in the Gaza Conflict," Washington Institute for Near East Policy, http://www.washingtoninstitute.org/templateC05.php?CID=2986 (accessed January 4, 2009).

[381] Hroub, *A New Hamas through its New Documents*, 6, 15, 20; International Crisis Group, *Middle East Report no. 62: After Mecca: Engaging Hamas*, 1.

[382] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 10.

[383] Ibid., 5.

[384] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 10.

[385] International Crisis Group, *Middle East Briefing no. 25: Palestine Divided*, 18; Palestinian Center for Policy and Survey Research, *Palestinian Public Opinion Poll no. 29*.

[386] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 11.

option was considered by Hamas and that an extension would have been possible.[387] Still, the prospect that the isolation would continue, further deteriorate the situation on the ground and further erode public support favored a hardliner reaction. Concerning its political position, Hamas had a stance of: "let us govern, or watch us fight."[388] Politically, Hamas could have gained from the end of the isolation, but not from a moderation of its position. As a Hamas leader in the Gaza Strip put it: "…between fighting and opening the crossings, we will choose the latter. But between surrender and fighting, we will fight."[389] Hamas assessed the second option, new militant clashes with Israel, as a contributor to its position.[390] Hamas' decision to increase the pressure on Israel with renewed rocket attacks was aimed either on an opening of the borders or an Israeli military response.[391] Dealing with a military operation was easier for Hamas than coping with the critiques of the Palestinians in the Gaza Strip.[392] The decision to take the risk of an Israeli operation was supported by the fact that Israel adhered to its practice of isolation and its willingness to operate against Hamas. Moreover, an attack against Hamas in the Gaza Strip could reverse the decline of public support because an attack could be interpreted as an operation against Palestinians in general and could initiate "emotional identification" with Hamas.[393] Initial reports from the first week of the Israeli operation indicate that, in fact, public support swung back in favor of Hamas, at least to some extent.[394] Furthermore, Hamas could maintain or probably improve its position in Palestine, if it could withstand the Israeli operation following the example of the

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387 International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 10; Friedman, *Hamas Tells Fighters to Hold Fire for 24 Hours; Faction Says Truce could be Renewed; Israel Signals Readiness to Move into Gaza*, A.14.

388 International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 10.

389 Ibid., 12.

390 Ibid., 1, 11.

391 Ibid., 11.

392 Ibid., 4.

393 International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 15.

394 Ibid., 7, 8, 14, 15, 16.

Hezbollah in Lebanon.[395] Both, Israel and Hamas did not intentionally aim for a new escalation.[396] But, the different understandings of the truce bolstered the decisions for military actions. Hamas expected the truce to lead to an opening of the borders.[397] This did not happen, so it looked for the military option as explained. As the reports during the operation indicated, Hamas remained operational. Although the force of the Israeli operation was unexpected, Hamas was not unprepared.[398] During the operation, Hamas was able to continue limited rocket attacks and even to maintain law and order, to some extent.[399] Israel saw the truce as a modular option for more openness or more isolation and further military response depending on the calm and Galit Shalit's release.[400] Therefore, Israel prepared the operation thoroughly.[401]

In the course of events, Hamas' assessment proved to be correct. The Israeli operation increased public support for resistance and revenge, which contributed to Hamas' overall stance.[402] Additionally, international response was against the Israeli operation, accusing the Israelis of excessive use of force.[403] The media coverage internationalized the escalation and increased the international pressure for a ceasefire as well as the demand for Palestinian reconciliation and new peace talks.[404] This further

[395] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 7, 24.

[396] Ibid., 3.

[397] Ibid., 17.

[398] Ibid., 5; Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 77.

[399] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 6–9.

[400] Ibid., 17.

[401] Ibid., 18.

[402] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 10.

[403] BBC News, "Mideast Papers on Gaza," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7803050.stm (accessed January 29, 2009); BBC News, "Strike at Gaza School 'Kills 40'," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7814054.stm (accessed January 29, 2009); Taghreed El-Khodary and Isabel Kershner, "Israel Keeps Up Assault on Gaza; Arab Anger Rises," *New York Times* December 29, 2008.

[404] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 11; Zvi Bar'el, "Analysis: Solution to Gaza Crisis Requires Pan-Arab Effort," Haaretz, http://www.haaretz.com/hasen/spages/1052340.html (accessed January 5, 2009).

contributed to Hamas' position because it kept Hamas in "the game" as a political power and Hamas was able to set the stage for renewed negotiations.[405] In contrast, the PA and Abbas suffered a blow because they proved to be unable to stop the escalation or to protect the Palestinians.[406] Hamas used "the war for political and internal leverage, because the organization has already achieved its objectives in terms of deterrence."[407]

Three facts can be learned from the road to the latest escalation. First, even if tensions increased between the leadership, Hamas maintained its cohesion. Second, Hamas' leadership followed the same decision-making pattern as in other situations. This situation offered no incentives to participate in politics. Moreover, domestic and international response favored resistance. Therefore, Hamas' assessment was that pragmatic politics would not contribute to the movement's cause. Third, this favored the hardliners in the movement and made violence more likely.

3.   The Aftermath of Operation "Cast Lead"

Israel ended operation "Cast Lead," declared a truce and withdraw its last troops from the Gaza Strip on January 21, 2009. This ended the latest apex of the escalation in the Israeli–Palestinian conflict. While Israel claims that Hamas suffered a decisive blow during the operations, Hamas declares itself as victorious.[408] The events are in still in flow. The negotiated truce was shaken by renewed clashes of Hamas operatives and Israeli forces at the end of January.[409] Meanwhile, the envoys of the U.S. and the

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[405] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 11.

[406] Ibid., 16, 17; Bar'el, *Through the Eyes of a Squad Leader*.

[407] Ibid.

[408] Jerusalem Post, "Senior Hamas Operative Makes First Public Appearance since Cast Lead," Jerusalem Post,
http://www.jpost.com/servlet/Satellite?pagename=JPost/JPArticle/ShowFull&cid=1233304641586 (accessed January 30, 2009).

[409] BBC News, "Israel Launches Attack in Gaza," BBC News,
http://news.bbc.co.uk/2/hi/middle_east/7853803.stm (accessed January 30, 2009); BBC News, "Israel Jets Target Gaza Tunnel," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7855086.stm (accessed January 30, 2009).

Europeans are back in the Middle East engaging the opposing parties. The damage assessment is still ongoing, but a first assessment can be made about Hamas' situation.

The exact damage Israel inflicted on Hamas is still not known, but taking into consideration the number and intensity of attacks, the targets, and the visible destruction it can be assessed that at least Hamas' own infrastructure and the Gaza administrative infrastructure were affected significantly.[410] Nonetheless, the assessment is not that unambiguous. Indeed, it seems that Hamas reached its objectives, at least partially. Although it suffered a blowback in its capability to govern the Gaza Strip, Hamas still rules the Gaza Strip, has remained in power, and still has a close grip on law and order.[411] Politically, Hamas remains operational, too. Its leadership in the Gaza Strip, as well as the exile leadership, is active and again engaged in negotiations and discussions.[412] Concerning its domestic position, Hamas is strengthened because it simply withstood the Israeli operation. Due to that fact, Hamas secured its position as a political force, which has to be integrated into further peace and reconciliation talks.[413] While the impact on Hamas' opponent, Fatah, is not yet clear either, it can be assessed as being weakened. Neither Fatah nor Abbas were able to play a major role in ending the conflict, which presents them as weak, nor is the PA able to take back authority in the Gaza Strip.[414] Concerning Fatah's internal division, reactions during the operation

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[410] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 4; BBC News, *UN 'Shocked' by Gaza Destruction*.

[411] Yaghi, *The Impact of the Gaza Conflict on Palestinian Politics*; International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 11; BBC News, "Gaza Smugglers Get Back to Work," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7844497.stm (accessed January 30, 2009); BBC News, "Gaza Ruins Pose Questions for Hamas," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7843633.stm (accessed January 29, 2009).

[412] Haaretz, "Hamas Leader in Gaza Appeals to Obama to Change U.S. Policy in Mideast," Haaretz, http://www.haaretz.com/hasen/spages/1060022.html (accessed January 29, 2009); BBC News, "Hamas Leader Urges West to Talk," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7843465.stm (accessed January 28, 2009); Griff Witte and Jonathan Finer Service, "Battered Gaza Still in the Grip of Hamas; Islamist Group Retains Strength Despite War," *The Washington Post*, January 24, 2009, A. 7.

[413] Yaghi, *The Impact of the Gaza Conflict on Palestinian Politics*.

[414] Bar'el, *Through the Eyes of a Squad Leader*; Yaghi, *The Impact of the Gaza Conflict on Palestinian Politics*; Witte and Service, *Battered Gaza Still in the Grip of Hamas; Islamist Group Retains Strength Despite War*, A.7; International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 16.

indicate that operation "Cast Lead" rather increased Fatah's internal tensions than improved the organization's stand.[415] As can be seen in the previous examples, a weakened Fatah favors Hamas.

Besides the fact that Hamas was able to maintain and at least partially improve its position in Palestine, it also improved its political stance. The renewed attempts to revive the peace talks are also in favor for Hamas. The international approach is to end the isolation of the Gaza Strip, which was one of Hamas' objectives that can be exploited.[416] Furthermore, as a matter of fact, with Hamas still in control of the Gaza Strip, all support or help for Gaza has to deal with the administration, thereby keeping Gaza and Hamas in the loop.[417] Besides that, Middle East leaders have already demanded the inclusion of Hamas in further talks to bolster reconciliation and improve the peace process; the approach of the Middle East Quartet is, at least, under discussion.[418] Hamas' leaders have already responded to these changed political conditions and declared their willingness for cooperation and talks.[419] This indicates that the situation after operation "Cast Lead" provides some incentives for Hamas to reengage in politics. Still in power, with the isolation no longer sustainable, and a changing international approach, Hamas can reengage in politics under conditions that are more favorable. Hamas can claim a victory in the latest escalation and add some conditions to the negotiations. Furthermore, it can reengage in politics without turning away from its Charter. Although the acceptance of a

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[415] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 14–16.

[416] BBC News, "US 'Actively Seeks' Mideast Deal," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7860191.stm (accessed January 30, 2009).

[417] BBC News, *Who Will Rebuild Gaza?*

[418] BBC News, "Saudi Warns US Over Middle East," BBC News, http://news.bbc.co.uk/2/hi/middle_east/7847753.stm (accessed January 30, 2009); Bar'el, *Analysis: Solution to Gaza Crisis Requires Pan-Arab Effort*; Gwertzmann, *Israel–Palestinian Crisis Explodes Onto Obama's Agenda*; Oren, *Neither Israel nor Hamas can be Choosy in Gaza*; Ilene R. Prusher, "In Pummeled Gaza, Hamas Recoups," *The Christian Science Monitor*, January 26, 2009.

[419] Haaretz, *Hamas Leader in Gaza Appeals to Obama to Change U.S. Policy in Mideast*; BBC News, *Hamas Leader Urges West to Talk*; Associated Press, "Hamas: We Will Accept Long-Term Truce if Gaza Border Opened," Haaretz, http://www.haaretz.com/hasen/spages/1059873.html (accessed January 29, 2009).

long truce is not in conjunction with its Charter, Hamas can claim that it represents the just Palestinian cause, as it did after the 2006 elections or the takeover of the Gaza Strip.[420]

Hamas also maintained support by the public. Although there are voices against Hamas and its victory rally was left unattended[421] the public, in general, tends to have shifted towards resistance, and support for Hamas seems to be at least the same.[422] Nonetheless, this poses a challenge to Hamas. While still in power in the Gaza Strip, it needs to govern. This includes quick relief for the population and a quick start to reconstruction. Due to the fact that major parts of the administration infrastructure are destroyed and international help is still slow and still reluctant to approach Hamas, this is a major challenge.[423] Public support for Hamas strongly depends on how fast the group can provide relief.

Hamas achieved its objectives, but at the same time suffered a blow. Compared with the previous cases, this can indicate another shift of Hamas' internal momentum. This is a situation in which the momentum lies with the more moderate leadership because there is the prospect that political participation can pay off. Also, the military capabilities are limited due to losses and the missing legitimacy for continued violence. That the momentum is with the leadership, which is open to political participation, is indicated by statements of Ismail Haniyeh and even Khaled Mishal who is assessed as a hardliner.[424] How this situation is influenced by the death of two of Hamas' senior leaders, Said Siam and Nizar Rayyan, cannot yet be assessed. It is likely that the new

[420] Rabbani, *A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II*, 72, 74, 76.

[421] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 9; BBC News, *Gaza Ruins Pose Questions for Hamas*.

[422] International Crisis Group, *Middle East Briefing no. 26: Ending the War in Gaza*, 10; Witte and Service, *Battered Gaza Still in the Grip of Hamas; Islamist Group Retains Strength Despite War*, A.7.

[423] BBC News, "UN Launches $613m Appeal for Gaza," BBC News, http://news.bbc.co.uk/2/hi/business/davos/7857874.stm (accessed January 30, 2009).

[424] Associated Press, *Hamas: We Will Accept Long-Term Truce if Gaza Border Opened*; BBC News, *Hamas Leader Urges West to Talk*; Haaretz, *Hamas Leader in Gaza Appeals to Obama to Change U.S. Policy in Mideast*.

situation can minimize tensions between the leadership in the West Bank and the Gaza Strip. Both sides can benefit from renewed political participation because Hamas as a whole would be included. Still, tensions within the leadership remain. Hardliner elements are still searching for ways to continue the fighting or are arguing in this direction as the continued attacks and further statements from the Gaza Strip indicate.[425] While tensions remain and can be seen as "quite normal" for the Hamas leadership, the overall current situation and developments indicate that Hamas' internal momentum lies with the more moderate leadership. As can be seen from the period of 2006 to 2008, time is a crucial factor in this concern. If Hamas is to fail in governing and relieving the Gaza crisis and is excluded from further political talks, it is likely that the pendulum will swing back towards the hardliners and to renewed armed and violent resistance.

To sum up, one can derive four facts from the latest escalation and its aftermath. First, Hamas' main objective is sustaining the movement, which means it has to maintain its power and its position in Palestine. If the situation gives Hamas no incentive to sustain the movement by political participation, it fights. Thereby, it acts not blindly or irrationally. Hamas tries to exploit the opportunities a situation gives it. In the case of operation "Cast Lead," it allowed Hamas to escape the impending failure of its governance in the Gaza Strip and to improve its position by withstanding the Israeli attack.

Second, the leadership is divided into a hardliner faction, which is more reluctant to approach Fatah for reconciliation and more willing to continue the fight, and a moderate faction, which is more willing to approach Fatah for cooperation and to refrain from violence in favor of political participation. Despite their different positions, they have a common aim: to sustain the organization. So far, Hamas has managed to prevent a major split in the movement and to maintain its cohesion. Additionally, the different positions of the leadership prove that political participation is possible.

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[425] Jerusalem Post, *Senior Hamas Operative Makes First Public Appearance since Cast Lead*; BBC News, *Israel Launches Attack in Gaza*.

Third, the momentum between the different leaderships changes due to circumstances. How long the momentum lies with the moderates or the hardliners depends on two facts: First, are Hamas' objectives achieved? Second, is there a major change in the circumstances? In the recent developments, Hamas achieved its objective but was in need of a new course of action. Furthermore, the circumstances under which Hamas had to act changed dramatically, thereby favoring political participation rather than continued violence.

The fourth fact derived from this last case is the further evidence of the fact that Hamas continues to have situational awareness and continues to assess objectives, situations, and opportunities.

IV.   CONCLUSION

A.   THE NATURE OF HAMAS

The analysis of Hamas, its organization, and its actions shows that it is a complex movement rather than merely a terrorist bomb squad. This does not mean that Hamas will suddenly reject violence and its Charter, but it also does not mean that Hamas will always persist with its violence. Hamas' toolbox includes both violence and pragmatic politics.

As shown in Chapter II, Hamas developed as a movement with an objective. This objective is stated in its Charter the destruction of Israel and the creation of an Islamic Palestinian state. Nonetheless, as a movement, it has another far more existential objective. Once established, a movement needs to sustain itself. As a first priority, its actions are aimed on securing the group's survival.[426] With this behavior, Hamas is not different from other movements.[427] This is manifested in Hamas' center of gravity. In order to pursue its objective, Hamas needs to protect its critical capability and to maintain its critical requirements. As a matter of fact, Hamas is not an isolated actor but exists under changing situations and circumstances. As explained, these conditions create the incentives and opportunities about which Hamas responds, decides, and acts. These acts also have repercussions for Hamas. Hamas has developed further, and more importantly, has learned. Chapter III shows that Hamas developed a hierarchical organization that allows flexible decision making and adaption to changing circumstances. As the latest development shows, this structure enables Hamas to maintain its organization even under unfavorable conditions. Chapter III showed that Hamas learned to engage and pursue its objectives not only by violence. Hamas also learned to act as a political power without adherence solely to violence. The course of events from Oslo to the 2006 elections clearly shows an ongoing learning process that was interrupted by the isolation imposed

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[426] Quintan Wiktorowicz, ed., *Islamic Activism: A Social Movement Theory Approach* (Bloomington, Ind: Indiana University Press, 2004), 14.

[427] McAdam, McCarthy and Zald, *Comparative Perspectives on Social Movements: Political Opportunities, Mobilizing Structures, and Cultural Framings*, 15.

on Hamas in 2006. This does not make Hamas a peaceful organization but shows that Hamas' usage of its toolbox creates an interdependency of objectives, political opportunities and situational incentives and assessed opportunities. Violence or pragmatic politics are used after a cost benefit analysis based on different assessments. First, what is Hamas' position in general: strong or weak? Second, do the given circumstances (this includes other actors and competitors) impose a threat to Hamas or contribute to Hamas' position? Third, under the given circumstances, what are the priorities of Hamas' objectives: protection of its position and power, or exploitation and improvement? Fourth, what are the opportunities for pragmatic politics and what are the opportunities for violence under the given circumstances? Fifth, what is the best option to preserve the center of gravity and to pursue its objectives? Figure 4 shows a depiction of Hamas' decision-making process.

Figure 4:   Hamas' Decision-Making Process

In 1987, circumstances favored resistance and the MB decided to form Hamas in order to improve its weakened position. In 1993, circumstances favored non-violent behavior and Hamas' position was weakened by the public's demand for peace and the

political dominance of its opponents. Still, defensive action was accepted by the public. Hamas decided to refrain from active political participation in order to preserve its cohesion and identity but supported individual political participation and participated in student and professional association elections. Furthermore, Hamas engaged in violence whenever it was able to legitimate it as defensive. With the outbreak of the al-Aqsa intifada, the situation shifted again towards resistance and Hamas engaged in violence with full force trying to improve its position. In 2006, with the second intifada coming to an end, Hamas' position of a political opposition was good. Additionally, the public's demand for peace and Hamas' degraded militant capabilities limited Hamas violent options but favored pragmatic politics. As a result, Hamas engaged in political participation with a party, with which it was willing to cooperate. From 2006 to 2008 the isolation steadily degraded Hamas' ability to govern and weakened its position. Rejected as a political player and facing a continuous decline in support, Hamas shifted back to resistance and violence in order to at least protect its achieved position and power. In the aftermath of operation "Cast Lead," Hamas has been able to maintain its position. With degraded militant capabilities, but the isolation ended, still in power, and a new international engagement to the peace process, Hamas signals are pointing towards pragmatic politics again.

The leadership plays an important role in decision making. As shown, there are different positions in the leadership, the hardliners and the moderates. Today, it seems that both positions can be found in different compositions in all arms of the Hamas organization, and in all regions: the Gaza Strip, the West Bank, and in exile. Figure 5 shows the possible distribution of leadership positions and influence around March 2009.
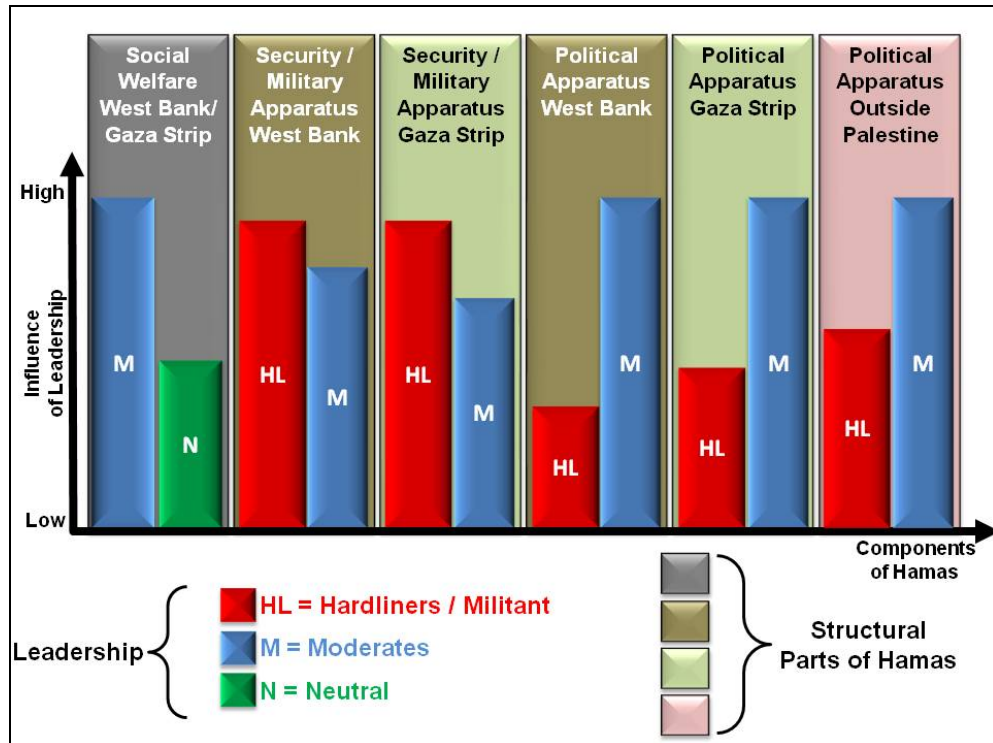
Figure 5: Possible Distribution of Leadership Influence around March 2009

The examples in Chapter III show that there are tensions between the different leadership positions, and because of circumstances of the regional leadership, about the particular course of action of the movement. So far, this has not led to any splits in the movement because the different positions are united by a paramount common objective of maintaining Hamas' position and common dependencies on the organizational structure as a whole. Still, the leadership position of the moment has to be taken into consideration when assessing Hamas' objectives. As can be seen by the examples, in general, the leadership which dominates influences the course of action: the moderates towards more political participation and the hardliners towards more militant action. Thereby, the leadership depends on the circumstances. If opportunities for political participation increase and the overall situation is contra-violent, the moderates are bolstered which makes pragmatic politics more likely. In contrast to that, pressure and counteraction combined with a situation that favors resistance, bolster the hardliners, making violence more likely. It is important to see the interrelationship between situation, leadership, and decision making, because this relationship must be understood when

approaching Hamas. Additionally, the time factor has to be considered. As the situation on the ground develops, it creates a window of opportunity either for pragmatic politics or violence. Concerning the leadership, a further fact is of importance, too. As can be seen from the internal discussions prior to the decisions in the 2006 elections and the latest events, the leadership is also learning, refining its political tools while sustaining the militant tools as well.

The organization, its members, and its leadership are developing, learning, and adapting. Hamas' problem is that its identity as a resistance movement which fights for the just cause of all Palestinians is bound to its Charter which remains a 1988 document. In order to sustain the movement, Hamas adapted to changing circumstances thereby deviating in its actions from the written words of its Charter, as shown in the examples. Due to the fact that this circumstantial adaptation is necessary to survive, this deviation from the Charter is accepted and explained by the leadership. At the same time, this limits Hamas' possibilities in its political practice. It cannot directly accept the Israeli state in an announcement prior to negotiations, as demanded by the Middle East Quartet, because it will lose its identity and lead itself to absurdity.[428] Due to this fact, Hamas has adopted an indirect approach to engaging in politics. Hamas' willingness to discuss a long term truce and border issues allows Hamas to engage in politics and de facto accept Israel by making it a partner in negotiations. At the same time, Hamas prevents the public rejection of the core of its identity. While Hamas, as a whole, is a rational actor, its charter is a historical but still necessary artifact. It is important to understand this self imposed limitation in Hamas' practice because it shows a possible approach towards Hamas.

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[428] Michael Ancram, "The Middle East Peace Process: The Case for Jaw-Jaw Not War-War," Conflict Forum, http://conflictsforum.org/2008/the-middle-east-peace-process-the-case-for-jaw-jaw-not-war-war/ (accessed December 9, 2008), 3.

B.   HOW TO APPROACH HAMAS?

In general, the situation on the ground leaves politics with three options.

Option number one is the rejection of Hamas as a political adversary and the attempt to marginalize or even eliminate it by isolation and military means. The examples in Chapter III show that military force against Hamas can contain but not neutralize the organization. The same account can be given to the isolation approach from 2006 to 2008. Both attempts proved to be unsuccessful. As shown in Chapter I, the supporters of the two attempts argue that political inclusion of Hamas will fail because the group is bound to violence. As seen in the case analyses, this assessment is incorrect. As a matter of fact, this option cannot achieve any progress in the peace process and will rather further deteriorate the situation and hamper any peace efforts because it neither deals with Hamas' nature nor with the circumstances on the ground.

Any lasting settlement of the Israeli-Palestinian conflict must include all political and social powers and this means also with Hamas.[429] Moreover, inner Palestinian reconciliation must be achieved as a precondition for peace.[430] Therefore, the other two options aim for an inclusion of Hamas in politics. Recent studies show that inclusion can moderate extremists, even if it is not in a democratic system.[431] While this does not necessarily mean that a movement undergoes complete transformation at once, it shows that the process can work. Although the process needs time, it can be at least initiated.

In option number two, Hamas is accepted as a political partner and included in the political system and the negotiations without any conditions. Option two responds to the situation on the ground and to Hamas as a political power. The unconditional inclusion allows engaging the necessary reconciliation between the Fatah and Hamas and the pursuit of the two-state solution simultaneously. It copes with Hamas' readiness to accept

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[429] Michael Irving Jensen, *The Political Ideology of Hamas* (London, New York: I.B. Tauris & Co Ltd, 2009), 152.

[430] Ibid., 152.

[431] Wickham, *Mobilizing Islam: Religion, Activism, and Political Change in Egypt*, 207.

the two-state solution.[432] The inclusion of Hamas without any conditions allows Hamas to succeed with political participation. This gives a strong incentive for Hamas to refrain from violence because political participation is supported by its members and the public, whereas violence is more difficult to legitimize while engaged in politics. Nonetheless, this option can be costly because of two reasons.

First, it is risky for European and Western politicians to negotiate with Hamas. Hamas is still assessed as a terrorist organization. Therefore, an engagement is difficult because it is contrary to agreed political decisions and has to counter strong lobbies which support option one.[433] Moreover, there is no guarantee that Hamas will stay peaceful. To negotiate with a group that might engage in violence against civilians again can damage the reputation of politicians.

A second risk concern Hamas itself. At first glance, the unconditional inclusion fosters the moderate factions in Hamas, willing to engage in political participation. But, in the long run, this approach can marginalize the moderates because it allows Hamas' hardliners to argue that they achieved political legitimization without any concessions or altering of the movement's character. This strengthening of the hardliners implies the risk of renewed violence in case negotiations reach another stalemate.

This thesis recommends a third option. It includes Hamas in an indirect approach. Simultaneously, it aims to create conditions that make it strategically attractive for Hamas to abandon violence and accept a two-state solution. Thereby, it gives Hamas the incentive to redefine resistance, away from violence toward political opposition.

Hamas and the situation on the ground are more comparable to Northern Ireland and the IRA than to Al-Qaeda's global jihad.[434] Hamas is in a similar political position to the IRA and the situation on the ground is comparable, too.[435] "We made a different

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[432] Jensen, *The Political Ideology of Hamas*, 145.

[433] American Israel Public Affairs Committee, *Press Release: AIPAC Applauds Final Congressional Passage of the Palestinian Anti Terrorism ACT* AIPAC, 2007).

[434] Ancram, *The Middle East Peace Process: The Case for Jaw-Jaw Not War-War*, 4, 1.

[435] Ibid., 3.

analysis. Firstly, that the war could not be won. Secondly, that there could be no long-term solution to the problem we were confronting without the eventual involvement of those we were fighting. Thirdly, that even as the fighting continued we needed to find a means of engaging them. And fourthly, that this could only be done by opening dialogue."[436] This approach is also applicable in Palestine. Thereby, it is important to understand Hamas' political limitations which are similar to those of the IRA.[437] Therefore, the new approach should be an "exploratory dialogue."[438] Rather than applying demands or preconditions which Hamas cannot cope with, an exploratory dialogue would help create a base for further negotiations. Moreover, it could initiate the inclusion of Hamas in the political process and "keep them in the play." As the lessons from Northern Ireland show, such a "non-committal dialogue" which should be started on a low profile level offers the chance of more progress than forced commitments, which cannot be met by one of the parties.[439] This would give Hamas the necessary incentives for further pragmatic politics. While understanding Hamas' character, small advances such as an agreed long-term truce, or reopened borders should be the focus, rather than immediate settlement of the overall Israeli–Palestinian conflict. The non-public, non-committing talks would be a response to Hamas' willingness to participate in politics and open the opportunity to bolster the moderates in Fatah and the PA which may increase the chances for a Palestinian reconciliation and the successful establishment of a unity government. Furthermore, the immediate inclusion allows maintaining law and order in the Gaza Strip and preventing other radical groups from carrying out violence against Israel. This allows progress in the inner Palestinian situation, and the manifestation of Hamas' inclusion in the political system. Strategically, it would be attractive for Hamas to abandon violence under these circumstances because further violence would damage its legitimacy and position rather than contributing to its position and public support. Additionally, the approach allows Hamas to initiate the process to redefine resistance

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[436] Ancram, *The Middle East Peace Process: The Case for Jaw-Jaw Not War-War*, 1.

[437] Ibid., 3–4.

[438] Ibid., 3.

[439] Ibid., 2.

away from violence to non-violent political means by itself, rather than responding to external pressure which could be assessed as a threat to its identity.

Nonetheless, under current circumstances, this approach is difficult to apply. While the truce is shaky and Israel is prepared to re-launch operations, the application of this non-committal dialogue approach must not only include Israel but at the same time bring relief to the Gaza Strip and reopen the borders. Although difficult, the situation gives incentives for this approach: Hamas showing willingness for political talks and its militant capabilities are degraded, but still maintaining power. A new U.S. government is in the lead and initiated the first steps to revive the peace process. The Middle East Quartet is mutually convinced that a new approach to the conflict is necessary. Last but not least, the situation on the ground in the Gaza Strip demands a quick disaster relief response which must deal with Hamas. These facts create the opportunity for a new approach and the possibility for preventing the mistakes of the past. Military force, deterrence and ignorance of facts on the ground cannot solve a political conflict. In this political conflict, Hamas remains a political power which needs to be included in the peace process. With its election victory in 2006, Hamas changed the political conditions in Palestine.[440] Furthermore, Hamas implemented itself as a powerful factor in the Palestinian society and the political system.[441] Thereby, Hamas has proved to be a rational actor. Although Hamas is willing to use violence, its inclusion in a political process is possible. As the examples show, the latest events have opened a window of opportunity for this approach. Nonetheless, the examples also show that this window can close again.

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[440] Jensen, *The Political Ideology of Hamas*, 1.

[441] Ibid., 141, 152.

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V. APPENDIX

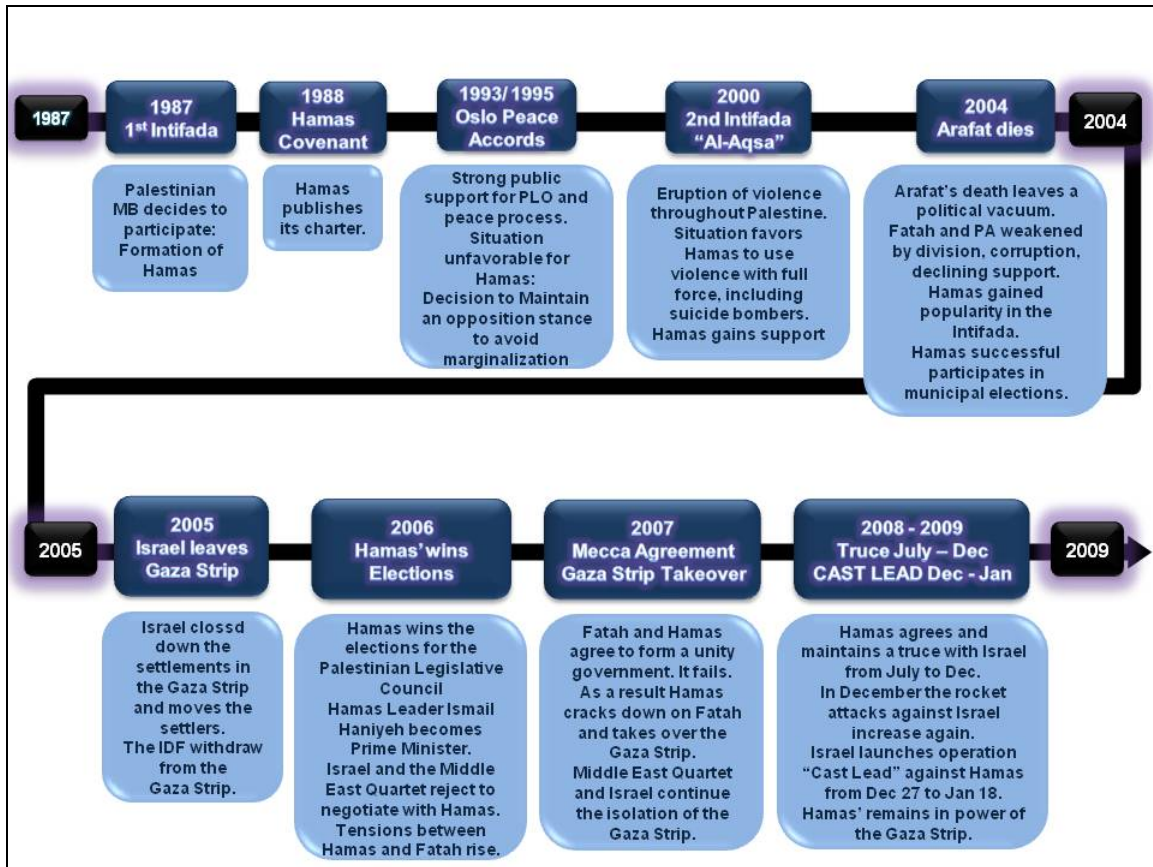## A. TIMELINE OF EVENTS

Figure 6: Timeline of Events until 2009

B.   HAMAS' CHARTER

Hamas' charter was accessed on the website of the Yale Law School Lillian Goldman library.[442]

Hamas Covenant 1988

The Covenant of the Islamic Resistance Movement

18 August 1988

In The Name Of The Most Merciful Allah

Ye are the best nation that hath been raised up unto mankind: ye command that which is just, and ye forbid that which is unjust, and ye believe in Allah. And if they who have received the scriptures had believed, it had surely been the better for them: there are believers among them, but the greater part of them are transgressors. They shall not hurt you, unless with a slight hurt; and if they fight against you, they shall turn their backs to you, and they shall not be helped. They are smitten with vileness wheresoever they are found; unless they obtain security by entering into a treaty with Allah, and a treaty with men; and they draw on themselves indignation from Allah, and they are afflicted with poverty. This they suffer, because they disbelieved the signs of Allah, and slew the prophets unjustly; this, because they were rebellious, and transgressed.

(Al-Imran–verses 109-111).

Israel will exist and will continue to exist until Islam will obliterate it, just as it obliterated others before it" (The Martyr, Imam Hassan al-Banna, of blessed memory).

"The Islamic world is on fire. Each of us should pour some water, no matter how little, to extinguish whatever one can without waiting for the others." (Sheikh Amjad al-Zahawi, of blessed memory).

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[442] Hamas, "Hamas Covenant 1988," Yale Law School Lillian Goldman Law Library, http://avalon.law.yale.edu/20th_century/hamas.asp (accessed January 31, 2009).

In The Name Of The Most Merciful Allah

Introduction

Praise be unto Allah, to whom we resort for help, and whose forgiveness, guidance and support we seek; Allah bless the Prophet and grant him salvation, his companions and supporters, and to those who carried out his message and adopted his laws–everlasting prayers and salvation as long as the earth and heaven will last. Hereafter:

O People:

Out of the midst of troubles and the sea of suffering, out of the palpitations of faithful hearts and cleansed arms; out of the sense of duty, and in response to Allah's command, the call has gone out rallying people together and making them follow the ways of Allah, leading them to have determined will in order to fulfill their role in life, to overcome all obstacles, and surmount the difficulties on the way. Constant preparation has continued and so has the readiness to sacrifice life and all that is precious for the sake of Allah.

Thus it was that the nucleus (of the movement) was formed and started to pave its way through the tempestuous sea of hopes and expectations, of wishes and yearnings, of troubles and obstacles, of pain and challenges, both inside and outside.

When the idea was ripe, the seed grew and the plant struck root in the soil of reality, away from passing emotions, and hateful haste. The Islamic Resistance Movement emerged to carry out its role through striving for the sake of its Creator, its arms intertwined with those of all the fighters for the liberation of Palestine. The spirits of its fighters meet with the spirits of all the fighters who have sacrificed their lives on the soil of Palestine, ever since it was conquered by the companions of the Prophet, Allah bless him and grant him salvation, and until this day.

This Covenant of the Islamic Resistance Movement (HAMAS), clarifies its picture, reveals its identity, outlines its stand, explains its aims, speaks about its hopes, and calls for its support, adoption and joining its ranks. Our struggle against the Jews is very great and very serious. It needs all sincere efforts. It is a step that inevitably should be followed by other steps. The Movement is but one squadron that should be supported

by more and more squadrons from this vast Arab and Islamic world, until the enemy is vanquished and Allah's victory is realized.

Thus we see them coming on the horizon "and you shall learn about it hereafter" "Allah hath written, Verily I will prevail, and my apostles: for Allah is strong and mighty." (The Dispute–verse 21).

"Say to them, This is my way: I invite you to Allah, by an evident demonstration; both I and he who followeth me; and, praise be unto Allah! I am not an idolator." (Joseph–verse 107).

Hamas (means) strength and bravery -(according to) Al-Mua'jam al-Wasit: c1.

<u>**Definition of the Movement**</u>

Ideological Starting-Points

Article One:

The Islamic Resistance Movement: The Movement's programme is Islam. From it, it draws its ideas, ways of thinking and understanding of the universe, life and man. It resorts to it for judgement in all its conduct, and it is inspired by it for guidance of its steps.

The Islamic Resistance Movement's Relation With the Moslem Brotherhood Group:

Article Two:

The Islamic Resistance Movement is one of the wings of Moslem Brotherhood in Palestine. Moslem Brotherhood Movement is a universal organization which constitutes the largest Islamic movement in modern times. It is characterised by its deep understanding, accurate comprehension and its complete embrace of all Islamic concepts of all aspects of life, culture, creed, politics, economics, education, society, justice and judgement, the spreading of Islam, education, art, information, science of the occult and conversion to Islam.

Structure and Formation

Article Three:

The basic structure of the Islamic Resistance Movement consists of Moslems who have given their allegiance to Allah whom they truly worship,—"I have created the jinn and humans only for the purpose of worshipping"—who know their duty towards themselves, their families and country. In all that, they fear Allah and raise the banner of Jihad in the face of the oppressors, so that they would rid the land and the people of their uncleanliness, vileness and evils.

"But we will oppose truth to vanity, and it shall confound the same; and behold, it shall vanish away." (Prophets–verse 18).

Article Four:

The Islamic Resistance Movement welcomes every Moslem who embraces its faith, ideology, follows its programme, keeps its secrets, and wants to belong to its ranks and carry out the duty. Allah will certainly reward such one.

Time and Place Extent of the Islamic Resistance Movement:

Article Five:

Time extent of the Islamic Resistance Movement: By adopting Islam as its way of life, the Movement goes back to the time of the birth of the Islamic message, of the righteous ancestor, for Allah is its target, the Prophet is its example and the Koran is its constitution. Its extent in place is anywhere that there are Moslems who embrace Islam as their way of life everywhere in the globe. This being so, it extends to the depth of the earth and reaches out to the heaven.

"Dost thou not see how Allah putteth forth a parable; representing a good word, as a good tree, whose root is firmly fixed in the earth, and whose branches reach unto heaven; which bringeth forth its fruit in all seasons, by the will of its Lord? Allah propoundeth parables unto men, that they may be instructed." (Abraham–verses 24-25).

Characteristics and Independence:

Article Six:

The Islamic Resistance Movement is a distinguished Palestinian movement, whose allegiance is to Allah, and whose way of life is Islam. It strives to raise the banner of Allah over every inch of Palestine, for under the wing of Islam followers of all religions can coexist in security and safety where their lives, possessions and rights are concerned. In the absence of Islam, strife will be rife, oppression spreads, evil prevails and schisms and wars will break out.

How excellent was the Moslem poet, Mohamed Ikbal, when he wrote:

"If faith is lost, there is no security and there is no life for him who does not adhere to religion. He who accepts life without religion, has taken annihilation as his companion for life."

The Universality of the Islamic Resistance Movement:

Article Seven:

As a result of the fact that those Moslems who adhere to the ways of the Islamic Resistance Movement spread all over the world, rally support for it and its stands, strive towards enhancing its struggle, the Movement is a universal one. It is well-equipped for that because of the clarity of its ideology, the nobility of its aim and the loftiness of its objectives.

On this basis, the Movement should be viewed and evaluated, and its role be recognised. He who denies its right, evades supporting it and turns a blind eye to facts, whether intentionally or unintentionally, would awaken to see that events have overtaken him and with no logic to justify his attitude. One should certainly learn from past examples.

The injustice of next-of-kin is harder to bear than the smite of the Indian sword.

We have also sent down unto thee the book of the Koran with truth, confirming that scripture which was revealed before it; and preserving the same safe from corruption. Judge therefore between them according to that which Allah hath revealed; and follow not their desires, by swerving

from the truth which hath come unto thee. Unto every of you have we given a law, and an open path; and if Allah had pleased, he had surely made you one people; but he hath thought it fit to give you different laws, that he might try you in that which he hath given you respectively. Therefore strive to excel each other in good works; unto Allah shall ye all return, and then will he declare unto you that concerning which ye have disagreed.

(The Table, verse 48).

The Islamic Resistance Movement is one of the links in the chain of the struggle against the Zionist invaders. It goes back to 1939, to the emergence of the martyr Izz al-Din al Kissam and his brethren the fighters, members of Moslem Brotherhood. It goes on to reach out and become one with another chain that includes the struggle of the Palestinians and Moslem Brotherhood in the 1948 war and the Jihad operations of the Moslem Brotherhood in 1968 and after.

Moreover, if the links have been distant from each other and if obstacles, placed by those who are the lackeys of Zionism in the way of the fighters obstructed the continuation of the struggle, the Islamic Resistance Movement aspires to the realisation of Allah's promise, no matter how long that should take. The Prophet, Allah bless him and grant him salvation, has said:

"The Day of Judgement will not come about until Moslems fight the Jews (killing the Jews), when the Jew will hide behind stones and trees. The stones and trees will say O Moslems, O Abdulla, there is a Jew behind me, come and kill him. Only the Gharkad tree, (evidently a certain kind of tree) would not do that because it is one of the trees of the Jews." (related by al-Bukhari and Moslem).

The Slogan of the Islamic Resistance Movement:

Article Eight:

Allah is its target, the Prophet is its model, the Koran its constitution: Jihad is its path and death for the sake of Allah is the loftiest of its wishes.

<u>**Objectives**</u>

Incentives and Objectives:

Article Nine:

The Islamic Resistance Movement found itself at a time when Islam has disappeared from life. Thus rules shook, concepts were upset, values changed and evil people took control, oppression and darkness prevailed, cowards became like tigers: homelands were usurped, people were scattered and were caused to wander all over the world, the state of justice disappeared and the state of falsehood replaced it. Nothing remained in its right place. Thus, when Islam is absent from the arena, everything changes. From this state of affairs the incentives are drawn.

As for the objectives: They are the fighting against the false, defeating it and vanquishing it so that justice could prevail, homelands be retrieved and from its mosques would the voice of the mu'azen emerge declaring the establishment of the state of Islam, so that people and things would return each to their right places and Allah is our helper.

"...and if Allah had not prevented men, the one by the other, verily the earth had been corrupted: but Allah is beneficient towards his creatures." (The Cow–verse 251).

Article Ten:

As the Islamic Resistance Movement paves its way, it will back the oppressed and support the wronged with all its might. It will spare no effort to bring about justice and defeat injustice, in word and deed, in this place and everywhere it can reach and have influence therein.

<u>**Strategies and Methods**</u>

Strategies of the Islamic Resistance Movement: Palestine Is Islamic aqf:

Article Eleven:

The Islamic Resistance Movement believes that the land of Palestine is an Islamic Waqf consecrated for future Moslem generations until Judgement Day. It, or any part of it, should not be squandered: it, or any part of it, should not be given up. Neither a single

Arab country nor all Arab countries, neither any king or president, nor all the kings and presidents, neither any organization nor all of them, be they Palestinian or Arab, possess the right to do that. Palestine is an Islamic Waqf land consecrated for Moslem generations until Judgement Day. This being so, who could claim to have the right to represent Moslem generations till Judgement Day?

This is the law governing the land of Palestine in the Islamic Sharia (law) and the same goes for any land the Moslems have conquered by force, because during the times of (Islamic) conquests, the Moslems consecrated these lands to Moslem generations till the Day of Judgement.

It happened like this: When the leaders of the Islamic armies conquered Syria and Iraq, they sent to the Caliph of the Moslems, Umar bin-el-Khatab, asking for his advice concerning the conquered land—whether they should divide it among the soldiers, or leave it for its owners, or what? After consultations and discussions between the Caliph of the Moslems, Omar bin-el-Khatab and companions of the Prophet, Allah bless him and grant him salvation, it was decided that the land should be left with its owners who could benefit by its fruit. As for the real ownership of the land and the land itself, it should be consecrated for Moslem generations till Judgement Day. Those who are on the land, are there only to benefit from its fruit. This Waqf remains as long as earth and heaven remain. Any procedure in contradiction to Islamic Sharia, where Palestine is concerned, is null and void.

"Verily, this is a certain truth. Wherefore praise the name of thy Lord, the great Allah." (The Inevitable–verse 95).

Homeland and Nationalism from the Point of View of the Islamic Resistance Movement in Palestine:

Article Twelve:

Nationalism, from the point of view of the Islamic Resistance Movement, is part of the religious creed. Nothing in nationalism is more significant or deeper than in the case when an enemy should tread Moslem land. Resisting and quelling the enemy

become the individual duty of every Moslem, male or female. A woman can go out to fight the enemy without her husband's permission, and so does the slave: without his master's permission.

Nothing of the sort is to be found in any other regime. This is an undisputed fact. If other nationalist movements are connected with materialistic, human or regional causes, nationalism of the Islamic Resistance Movement has all these elements as well as the more important elements that give it soul and life. It is connected to the source of spirit and the granter of life, hoisting in the sky of the homeland the heavenly banner that joins earth and heaven with a strong bond.

If Moses comes and throws his staff, both witch and magic are annulled.

"Now is the right direction manifestly distinguished from deceit: whoever therefore shall deny Tagut, and believe in Allah, he shall surely take hold with a strong handle, which shall not be broken; Allah is he who heareth and seeth." (The Cow–Verse 256).

Peaceful Solutions, Initiatives and International Conferences:

Article Thirteen:

Initiatives, and so-called peaceful solutions and international conferences, are in contradiction to the principles of the Islamic Resistance Movement. Abusing any part of Palestine is abuse directed against part of religion. Nationalism of the Islamic Resistance Movement is part of its religion. Its members have been fed on that. For the sake of hoisting the banner of Allah over their homeland they fight. "Allah will be prominent, but most people do not know."

Now and then the call goes out for the convening of an international conference to look for ways of solving the (Palestinian) question. Some accept, others reject the idea, for this or other reason, with one stipulation or more for consent to convening the conference and participating in it. Knowing the parties constituting the conference, their past and present attitudes towards Moslem problems, the Islamic Resistance Movement does not consider these conferences capable of realising the demands, restoring the rights

or doing justice to the oppressed. These conferences are only ways of setting the infidels in the land of the Moslems as arbitraters. When did the infidels do justice to the believers?

"But the Jews will not be pleased with thee, neither the Christians, until thou follow their religion; say, The direction of Allah is the true direction. And verily if thou follow their desires, after the knowledge which hath been given thee, thou shalt find no patron or protector against Allah." (The Cow–verse 120).

There is no solution for the Palestinian question except through Jihad. Initiatives, proposals and international conferences are all a waste of time and vain endeavors. The Palestinian people know better than to consent to having their future, rights and fate toyed with. As in said in the honourable Hadith:

"The people of Syria are Allah's lash in His land. He wreaks His vengeance through them against whomsoever He wishes among His slaves It is unthinkable that those who are double-faced among them should prosper over the faithful. They will certainly die out of grief and desperation."

The Three Circles:

Article Fourteen:

The question of the liberation of Palestine is bound to three circles: the Palestinian circle, the Arab circle and the Islamic circle. Each of these circles has its role in the struggle against Zionism. Each has its duties, and it is a horrible mistake and a sign of deep ignorance to overlook any of these circles. Palestine is an Islamic land which has the first of the two kiblahs (direction to which Moslems turn in praying), the third of the holy (Islamic) sanctuaries, and the point of departure for Mohamed's midnight journey to the seven heavens (i.e. Jerusalem).

"Praise be unto him who transported his servant by night, from the sacred temple of Mecca to the farther temple of Jerusalem, the circuit of which we have blessed, that we might show him some of our signs; for Allah is he who heareth, and seeth." (The Night-Journey–verse 1).

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Since this is the case, liberation of Palestine is then an individual duty for very Moslem wherever he may be. On this basis, the problem should be viewed. This should be realized by every Moslem.

The day the problem is dealt with on this basis, when the three circles mobilize their capabilities, the present state of affairs will change and the day of liberation will come nearer.

"Verily ye are stronger than they, by reason of the terror cast into their breasts from Allah. This, because they are not people of prudence." (The Emigration–verse 13).

The Jihad for the Liberation of Palestine is an Individual Duty:

Article Fifteen:

The day that enemies usurp part of Moslem land, Jihad becomes the individual duty of every Moslem. In face of the Jews' usurpation of Palestine, it is compulsory that the banner of Jihad be raised. To do this requires the diffusion of Islamic consciousness among the masses, both on the regional, Arab and Islamic levels. It is necessary to instill the spirit of Jihad in the heart of the nation so that they would confront the enemies and join the ranks of the fighters.

It is necessary that scientists, educators and teachers, information and media people, as well as the educated masses, especially the youth and sheikhs of the Islamic movements, should take part in the operation of awakening (the masses). It is important that basic changes be made in the school curriculum, to cleanse it of the traces of ideological invasion that affected it as a result of the orientalists and missionaries who infiltrated the region following the defeat of the Crusaders at the hands of Salah el-Din (Saladin). The Crusaders realized that it was impossible to defeat the Moslems without first having ideological invasion pave the way by upsetting their thoughts, disfiguring their heritage and violating their ideals. Only then could they invade with soldiers. This, in its turn, paved the way for the imperialistic invasion that made Allenby declare on entering Jerusalem: "Only now have the Crusades ended." General Guru stood at Salah el-Din's grave and said: "We have returned, O Salah el-Din." Imperialism has helped

towards the strengthening of ideological invasion, deepening, and still does, its roots. All this has paved the way towards the loss of Palestine.

It is necessary to instill in the minds of the Moslem generations that the Palestinian problem is a religious problem, and should be dealt with on this basis. Palestine contains Islamic holy sites. In it there is al- Aqsa Mosque which is bound to the great Mosque in Mecca in an inseparable bond as long as heaven and earth speak of Isra` (Mohammed's midnight journey to the seven heavens) and Mi'raj (Mohammed's ascension to the seven heavens from Jerusalem).

"The bond of one day for the sake of Allah is better than the world and whatever there is on it. The place of one's whip in Paradise is far better than the world and whatever there is on it. A worshipper's going and coming in the service of Allah is better than the world and whatever there is on it." (As related by al-Bukhari, Moslem, al-Tarmdhi and Ibn Maja).

"I swear by the holder of Mohammed's soul that I would like to invade and be killed for the sake of Allah, then invade and be killed, and then invade again and be killed." (As related by al-Bukhari and Moslem).

The Education of the Generations:

Article Sixteen:

It is necessary to follow Islamic orientation in educating the Islamic generations in our region by teaching the religious duties, comprehensive study of the Koran, the study of the Prophet's Sunna (his sayings and doings), and learning about Islamic history and heritage from their authentic sources. This should be done by specialized and learned people, using a curriculum that would healthily form the thoughts and faith of the Moslem student. Side by side with this, a comprehensive study of the enemy, his human and financial capabilities, learning about his points of weakness and strength, and getting to know the forces supporting and helping him, should also be included. Also, it is important to be acquainted with the current events, to follow what is new and to study the analysis and commentaries made of these events. Planning for the present and future,

studying every trend appearing, is a must so that the fighting Moslem would live knowing his aim, objective and his way in the midst of what is going on around him.

> O my son, verily every matter, whether good or bad, though it be the weight of a grain of mustard-seed, and be hidden in a rock, or in the heavens, or in the earth, Allah will bring the same to light; for Allah is clear-sighted and knowing. O my son, be constant at prayer, and command that which is just, and forbid that which is evil: and be patient under the afflictions which shall befall thee; for this is a duty absolutely incumbent on all men. Distort not thy face out of contempt to men, neither walk in the earth with insolence; for Allah loveth no arrogant, vain-glorious person.

(Lokman–verses 16-18).

The Role of the Moslem Woman:

Article Seventeen:

The Moslem woman has a role no less important than that of the moslem man in the battle of liberation. She is the maker of men. Her role in guiding and educating the new generations is great. The enemies have realized the importance of her role. They consider that if they are able to direct and bring her up they way they wish, far from Islam, they would have won the battle. That is why you find them giving these attempts constant attention through information campaigns, films, and the school curriculum, using for that purpose their lackeys who are infiltrated through Zionist organizations under various names and shapes, such as Freemasons, Rotary Clubs, espionage groups and others, which are all nothing more than cells of subversion and saboteurs. These organizations have ample resources that enable them to play their role in societies for the purpose of achieving the Zionist targets and to deepen the concepts that would serve the enemy. These organizations operate in the absence of Islam and its estrangement among its people. The Islamic peoples should perform their role in confronting the conspiracies of these saboteurs. The day Islam is in control of guiding the affairs of life, these organizations, hostile to humanity and Islam, will be obliterated.

Article Eighteen:

Woman in the home of the fighting family, whether she is a mother or a sister, plays the most important role in looking after the family, rearing the children and embuing them with moral values and thoughts derived from Islam. She has to teach them to perform the religious duties in preparation for the role of fighting awaiting them. That is why it is necessary to pay great attention to schools and the curriculum followed in educating Moslem girls, so that they would grow up to be good mothers, aware of their role in the battle of liberation.

She has to be of sufficient knowledge and understanding where the performance of housekeeping matters are concerned, because economy and avoidance of waste of the family budget, is one of the requirements for the ability to continue moving forward in the difficult conditions surrounding us. She should put before her eyes the fact that the money available to her is just like blood which should never flow except through the veins so that both children and grown-ups could continue to live.

> Verily, the Moslems of either sex, and the true believers of either sex, and the devout men, and the devout women, and the men of veracity, and the women of veracity, and the patient men, and the patient women, and the humble men, and the humble women, and the alms-givers of either sex who remember Allah frequently; for them hath Allah prepared forgiveness and a great reward.

(The Confederates–verse 25)

The Role of Islamic Art in the Battle of Liberation:

Article Nineteen:

Art has regulations and measures by which it can be determined whether it is Islamic or pre-Islamic (Jahili) art. The issues of Islamic liberation are in need of Islamic art that would take the spirit high, without raising one side of human nature above the other, but rather raise all of them harmoniously an in equilibrium.

Man is a unique and wonderful creature, made out of a handful of clay and a breath from Allah. Islamic art addresses man on this basis, while pre-Islamic art addresses the body giving preference to the clay component in it.

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The book, the article, the bulletin, the sermon, the thesis, the popular poem, the poetic ode, the song, the play and others, contain the characteristics of Islamic art, then these are among the requirements of ideological mobilization, renewed food for the journey and recreation for the soul. The road is long and suffering is plenty. The soul will be bored, but Islamic art renews the energies, resurrects the movement, arousing in them lofty meanings and proper conduct. "Nothing can improve the self if it is in retreat except shifting from one mood to another."

All this is utterly serious and no jest, for those who are fighters do not jest.

Social Mutual Responsibility:

Article Twenty:

Moslem society is a mutually responsible society. The Prophet, prayers and greetings be unto him, said: "Blessed are the generous, whether they were in town or on a journey, who have collected all that they had and shared it equally among themselves."

The Islamic spirit is what should prevail in every Moslem society. The society that confronts a vicious enemy which acts in a way similar to Nazism, making no differentiation between man and woman, between children and old people—such a society is entitled to this Islamic spirit. Our enemy relies on the methods of collective punishment. He has deprived people of their homeland and properties, pursued them in their places of exile and gathering, breaking bones, shooting at women, children and old people, with or without a reason. The enemy has opened detention camps where thousands and thousands of people are thrown and kept under sub-human conditions. Added to this, are the demolition of houses, rendering children orphans, meting cruel sentences against thousands of young people, and causing them to spend the best years of their lives in the dungeons of prisons.

In their Nazi treatment, the Jews made no exception for women or children. Their policy of striking fear in the heart is meant for all. They attack people where their breadwinning is concerned, extorting their money and threatening their honour. They deal with people as if they were the worst war criminals. Deportation from the homeland is a kind of murder.

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To counter these deeds, it is necessary that social mutual responsibility should prevail among the people. The enemy should be faced by the people as a single body which if one member of it should complain, the rest of the body would respond by feeling the same pains.

Article Twenty-One:

Mutual social responsibility means extending assistance, financial or moral, to all those who are in need and joining in the execution of some of the work. Members of the Islamic Resistance Movement should consider the interests of the masses as their own personal interests. They must spare no effort in achieving and preserving them. They must prevent any foul play with the future of the upcoming generations and anything that could cause loss to society. The masses are part of them and they are part of the masses. Their strength is theirs, and their future is theirs. Members of the Islamic Resistance Movement should share the people's joy and grief, adopt the demands of the public and whatever means by which they could be realised. The day that such a spirit prevails, brotherliness would deepen, cooperation, sympathy and unity will be enhanced and the ranks will be solidified to confront the enemies.

Supportive Forces Behind the Enemy:

Article Twenty-Two:

For a long time, the enemies have been planning, skillfully and with precision, for the achievement of what they have attained. They took into consideration the causes affecting the current of events. They strived to amass great and substantive material wealth, which they devoted to the realization of their dream. With their money, they took control of the world media, news agencies, the press, publishing houses, broadcasting stations, and others. With their money they stirred revolutions in various parts of the world with the purpose of achieving their interests and reaping the fruit therein. They were behind the French Revolution, the Communist revolution and most of the revolutions we heard and hear about, here and there. With their money they formed secret societies, such as Freemasons, Rotary Clubs, the Lions and others in different parts of the world for the purpose of sabotaging societies and achieving Zionist interests. With their

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money they were able to control imperialistic countries and instigate them to colonize many countries in order to enable them to exploit their resources and spread corruption there.

You may speak as much as you want about regional and world wars. They were behind World War I, when they were able to destroy the Islamic Caliphate, making financial gains and controlling resources. They obtained the Balfour Declaration, formed the League of Nations through which they could rule the world. They were behind World War II, through which they made huge financial gains by trading in armaments, and paved the way for the establishment of their state. It was they who instigated the replacement of the League of Nations with the United Nations and the Security Council to enable them to rule the world through them. There is no war going on anywhere, without having their finger in it.

"So often as they shall kindle a fire for war, Allah shall extinguish it; and they shall set their minds to act corruptly in the earth, but Allah loveth not the corrupt doers." (The Table–verse 64).

The imperialistic forces in the Capitalist West and Communist East, support the enemy with all their might, in money and in men. These forces take turns in doing that. The day Islam appears, the forces of infidelity would unite to challenge it, for the infidels are of one nation.

"O true believers, contract not an intimate friendship with any besides yourselves: they will not fail to corrupt you. They wish for that which may cause you to perish: their hatred hath already appeared from out of their mouths; but what their breasts conceal is yet more inveterate. We have already shown you signs of their ill will towards you, if ye understand." (The Family of Imran–verse 118).

It is not in vain that the verse is ended with Allah's words "if ye understand."

Our Attitudes Towards:

A. Islamic Movements:

Article Twenty-Three:

The Islamic Resistance Movement views other Islamic movements with respect and appreciation. If it were at variance with them on one point or opinion, it is in agreement with them on other points and understandings. It considers these movements, if they reveal good intentions and dedication to Allah, that they fall into the category of those who are trying hard since they act within the Islamic circle. Each active person has his share.

The Islamic Resistance Movement considers all these movements as a fund for itself. It prays to Allah for guidance and directions for all and it spares no effort to keep the banner of unity raised, ever striving for its realization in accordance with the Koran and the Prophet's directives.

> And cleave all of you unto the covenant of Allah, and depart not from it, and remember the favour of Allah towards you: since ye were enemies, and he reconciled your hearts, and ye became companions and brethren by his favour: and ye were on the brink of a pit of fire, and he delivered you thence. Allah declareth unto you his signs, that ye may be directed.

(The Family of Imran–Verse 102)

Article Twenty-Four:

The Islamic Resistance Movement does not allow slandering or speaking ill of individuals or groups, for the believer does not indulge in such malpractices. It is necessary to differentiate between this behaviour and the stands taken by certain individuals and groups. Whenever those stands are erroneous, the Islamic Resistance Movement preserves the right to expound the error and to warn against it. It will strive to show the right path and to judge the case in question with objectivity. Wise conduct is indeed the target of the believer who follows it wherever he discerns it.

"Allah loveth not the speaking ill of anyone in public, unless he who is injured call for assistance; and Allah heareth and knoweth: whether ye publish a good action, or conceal it, or forgive evil, verily Allah is gracious and powerful." (Women–verses 147-148).

B. Nationalist Movements in the Palestinian Arena:

Article Twenty-Five:

The Islamic Resistance Movement respects these movements and appreciates their circumstances and the conditions surrounding and affecting them. It encourages them as long as they do not give their allegiance to the Communist East or the Crusading West. It confirms to all those who are integrated in it, or sympathetic towards it, that the Islamic Resistance Movement is a fighting movement that has a moral and enlightened look of life and the way it should cooperate with the other (movements). It detests opportunism and desires only the good of people, individuals and groups alike. It does not seek material gains, personal fame, nor does it look for a reward from others. It works with its own resources and whatever is at its disposal "and prepare for them whatever force you can", for the fulfillment of the duty, and the earning of Allah's favour. It has no other desire than that.

The Movement assures all the nationalist trends operating in the Palestinian arena for the liberation of Palestine, that it is there for their support and assistance. It will never be more than that, both in words and deeds, now and in the future. It is there to bring together and not to divide, to preserve and not to squander, to unify and not to throw asunder. It evaluates every good word, sincere effort and good offices. It closes the door in the face of side disagreements and does not lend an ear to rumours and slanders, while at the same time fully realizing the right for self-defence.

Anything contrary or contradictory to these trends, is a lie disseminated by enemies or their lackeys for the purpose of sowing confusion, disrupting the ranks and occupy them with side issues.

"O true believers, if a wicked man come unto you with a tale, inquire strictly into the truth thereof; lest ye hurt people through ignorance, and afterwards repent of what ye have done." (The Inner Apartments–verse 6).

Article Twenty-Six:

In viewing the Palestinian nationalist movements that give allegiance neither to the East nor the West, in this positive way, the Islamic Resistance Movement does not refrain from discussing new situations on the regional or international levels where the Palestinian question is concerned. It does that in such an objective manner revealing the extent of how much it is in harmony or contradiction with the national interests in the light of the Islamic point of view.

C. The Palestinian Liberation Organization:

Article Twenty-Seven:

The Palestinian Liberation Organization is the closest to the heart of the Islamic Resistance Movement. It contains the father and the brother, the next of kin and the friend. The Moslem does not estrange himself from his father, brother, next of kin or friend. Our homeland is one, our situation is one, our fate is one and the enemy is a joint enemy to all of us.

Because of the situations surrounding the formation of the Organization, of the ideological confusion prevailing in the Arab world as a result of the ideological invasion under whose influence the Arab world has fallen since the defeat of the Crusaders and which was, and still is, intensified through orientalists, missionaries and imperialists, the Organization adopted the idea of the secular state. And that is how we view it.

Secularism completely contradicts religious ideology. Attitudes, conduct and decisions stem from ideologies.

That is why, with all our appreciation for The Palestinian Liberation Organization—and what it can develop into—and without belittling its role in the Arab–

Israeli conflict, we are unable to exchange the present or future Islamic Palestine with the secular idea. The Islamic nature of Palestine is part of our religion and whoever takes his religion lightly is a loser.

"Who will be adverse to the religion of Abraham, but he whose mind is infatuated? (The Cow–verse 130).

The day The Palestinian Liberation Organization adopts Islam as its way of life, we will become its soldiers, and fuel for its fire that will burn the enemies.

Until such a day, and we pray to Allah that it will be soon, the Islamic Resistance Movement's stand towards the PLO is that of the son towards his father, the brother towards his brother, and the relative to relative, suffers his pain and supports him in confronting the enemies, wishing him to be wise and well-guided.

"Stand by your brother, for he who is brotherless is like the fighter who goes to battle without arms. One's cousin is the wing one flies with—could the bird fly without wings?"

D. Arab and Islamic Countries:

Article Twenty-Eight:

The Zionist invasion is a vicious invasion. It does not refrain from resorting to all methods, using all evil and contemptible ways to achieve its end. It relies greatly in its infiltration and espionage operations on the secret organizations it gave rise to, such as the Freemasons, The Rotary and Lions clubs, and other sabotage groups. All these organizations, whether secret or open, work in the interest of Zionism and according to its instructions. They aim at undermining societies, destroying values, corrupting consciences, deteriorating character and annihilating Islam. It is behind the drug trade and alcoholism in all its kinds so as to facilitate its control and expansion.

Arab countries surrounding Israel are asked to open their borders before the fighters from among the Arab and Islamic nations so that they could consolidate their efforts with those of their Moslem brethren in Palestine.

As for the other Arab and Islamic countries, they are asked to facilitate the movement of the fighters from and to it, and this is the least thing they could do.

We should not forget to remind every Moslem that when the Jews conquered the Holy City in 1967, they stood on the threshold of the Aqsa Mosque and proclaimed that "Mohammed is dead, and his descendants are all women."

Israel, Judaism and Jews challenge Islam and the Moslem people. "May the cowards never sleep."

E. Nationalist and Religious Groupings, Institutions, Intellectuals, The Arab and Islamic World:

The Islamic Resistance Movement hopes that all these groupings will side with it in all spheres, would support it, adopt its stand and solidify its activities and moves, work towards rallying support for it so that the Islamic people will be a base and a stay for it, supplying it with strategic depth an all human material and informative spheres, in time and in place. This should be done through the convening of solidarity conferences, the issuing of explanatory bulletins, favourable articles and booklets, enlightening the masses regarding the Palestinian issue, clarifying what confronts it and the conspiracies woven around it. They should mobilize the Islamic nations, ideologically, educationally and culturally, so that these peoples would be equipped to perform their role in the decisive battle of liberation, just as they did when they vanquished the Crusaders and the Tatars and saved human civilization. Indeed, that is not difficult for Allah.

"Allah hath written, Verily I will prevail, and my apostles: for Allah is strong and mighty." (The Dispute–verse 21).

Article Thirty:

Writers, intellectuals, media people, orators, educators and teachers, and all the various sectors in the Arab and Islamic world—all of them are called upon to perform their role, and to fulfill their duty, because of the ferocity of the Zionist offensive and the Zionist influence in many countries exercised through financial and media control, as well as the consequences that all this lead to in the greater part of the world.

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Jihad is not confined to the carrying of arms and the confrontation of the enemy. The effective word, the good article, the useful book, support and solidarity—together with the presence of sincere purpose for the hoisting of Allah's banner higher and higher—all these are elements of the Jihad for Allah's sake.

"Whosoever mobilises a fighter for the sake of Allah is himself a fighter. Whosoever supports the relatives of a fighter, he himself is a fighter." (related by al-Bukhari, Moslem, Abu-Dawood and al-Tarmadhi).

F. Followers of Other Religions: The Islamic Resistance Movement Is A Humanistic Movement:

Article Thirty-One:

The Islamic Resistance Movement is a humanistic movement. It takes care of human rights and is guided by Islamic tolerance when dealing with the followers of other religions. It does not antagonize anyone of them except if it is antagonized by it or stands in its way to hamper its moves and waste its efforts.

Under the wing of Islam, it is possible for the followers of the three religions—Islam, Christianity and Judaism—to coexist in peace and quiet with each other. Peace and quiet would not be possible except under the wing of Islam. Past and present history are the best witness to that.

It is the duty of the followers of other religions to stop disputing the sovereignty of Islam in this region, because the day these followers should take over there will be nothing but carnage, displacement and terror. Everyone of them is at variance with his fellow-religionists, not to speak about followers of other religionists. Past and present history is full of examples to prove this fact.

"They will not fight against you in a body, except in fenced towns, or from behind walls. Their strength in war among themselves is great: thou thinkest them to be united; but their hearts are divided. This, because they are people who do not understand." (The Emigration–verse 14).

Islam confers upon everyone his legitimate rights. Islam prevents the incursion on other people's rights. The Zionist Nazi activities against our people will not last for long. "For the state of injustice lasts but one day, while the state of justice lasts till Doomsday."

"As to those who have not borne arms against you on account of religion, nor turned you out of your dwellings, Allah forbiddeth you not to deal kindly with them, and to behave justly towards them; for Allah loveth those who act justly." (The Tried–verse 8).

The Attempt to Isolate the Palestinian People:

Article Thirty-Two:

World Zionism, together with imperialistic powers, try through a studied plan and an intelligent strategy to remove one Arab state after another from the circle of struggle against Zionism, in order to have it finally face the Palestinian people only. Egypt was, to a great extent, removed from the circle of the struggle, through the treacherous Camp David Agreement. They are trying to draw other Arab countries into similar agreements and to bring them outside the circle of struggle.

The Islamic Resistance Movement calls on Arab and Islamic nations to take up the line of serious and persevering action to prevent the success of this horrendous plan, to warn the people of the danger eminating from leaving the circle of struggle against Zionism. Today it is Palestine, tomorrow it will be one country or another. The Zionist plan is limitless. After Palestine, the Zionists aspire to expand from the Nile to the Euphrates. When they will have digested the region they overtook, they will aspire to further expansion, and so on. Their plan is embodied in the "Protocols of the Elders of Zion", and their present conduct is the best proof of what we are saying.

Leaving the circle of struggle with Zionism is high treason, and cursed be he who does that. "for whoso shall turn his back unto them on that day, unless he turneth aside to fight, or retreateth to another party of the faithful, shall draw on himself the indignation of Allah, and his abode shall be hell; an ill journey shall it be thither." (The Spoils–verse 16). There is no way out except by concentrating all powers and energies to face this Nazi, vicious Tatar invasion. The alternative is loss of one's country, the dispersion of

citizens, the spread of vice on earth and the destruction of religious values. Let every person know that he is responsible before Allah, for "the doer of the slightest good deed is rewarded in like, and the does of the slightest evil deed is also rewarded in like."

The Islamic Resistance Movement consider itself to be the spearhead of the circle of struggle with world Zionism and a step on the road. The Movement adds its efforts to the efforts of all those who are active in the Palestinian arena. Arab and Islamic Peoples should augment by further steps on their part; Islamic groupings all over the Arab world should also do the same, since all of these are the best-equipped for the future role in the fight with the warmongering Jews.

"..and we have put enmity and hatred between them, until the day of resurrection. So often as they shall kindle a fire of war, Allah shall extinguish it; and they shall set their minds to act corruptly in the earth, but Allah loveth not the corrupt doers." (The Table–verse 64).

Article Thirty-Three:

The Islamic Resistance Movement, being based on the common coordinated and interdependent conceptions of the laws of the universe, and flowing in the stream of destiny in confronting and fighting the enemies in defence of the Moslems and Islamic civilization and sacred sites, the first among which is the Aqsa Mosque, urges the Arab and Islamic peoples, their governments, popular and official groupings, to fear Allah where their view of the Islamic Resistance Movement and their dealings with it are concerned. They should back and support it, as Allah wants them to, extending to it more and more funds till Allah's purpose is achieved when ranks will close up, fighters join other fighters and masses everywhere in the Islamic world will come forward in response to the call of duty while loudly proclaiming: Hail to Jihad. Their cry will reach the heavens and will go on being resounded until liberation is achieved, the invaders vanquished and Allah's victory comes about.

"And Allah will certainly assist him who shall be on his side: for Allah is strong and mighty." (The Pilgrimage–verse 40).

The Testimony of History

Across History in Confronting the Invaders:

Article Thirty-Four:

Palestine is the navel of the globe and the crossroad of the continents. Since the dawn of history, it has been the target of expansionists. The Prophet, Allah bless him and grant him salvation, had himself pointed to this fact in the noble Hadith in which he called on his honourable companion, Ma'adh ben-Jabal, saying: O Ma'ath, Allah throw open before you, when I am gone, Syria, from Al-Arish to the Euphrates. Its men, women and slaves will stay firmly there till the Day of Judgement. Whoever of you should choose one of the Syrian shores, or the Holy Land, he will be in constant struggle till the Day of Judgement."

Expansionists have more than once put their eye on Palestine which they attacked with their armies to fulfill their designs on it. Thus it was that the Crusaders came with their armies, bringing with them their creed and carrying their Cross. They were able to defeat the Moslems for a while, but the Moslems were able to retrieve the land only when they stood under the wing of their religious banner, united their word, hallowed the name of Allah and surged out fighting under the leadership of Salah ed-Din al-Ayyubi. They fought for almost twenty years and at the end the Crusaders were defeated and Palestine was liberated.

"Say unto those who believe not, Ye shall be overcome, and thrown together into hell; an unhappy couch it shall be." (The Family of Imran–verse 12).

This is the only way to liberate Palestine. There is no doubt about the testimony of history. It is one of the laws of the universe and one of the rules of existence. Nothing can overcome iron except iron. Their false futile creed can only be defeated by the righteous Islamic creed. A creed could not be fought except by a creed, and in the last analysis, victory is for the just, for justice is certainly victorious.

"Our word hath formerly been given unto our servants the apostles; that they should certainly be assisted against the infidels, and that our armies should surely be the conquerors." (Those Who Rank Themselves–verses 171-172).

Article Thirty-Five:

The Islamic Resistance Movement views seriously the defeat of the Crusaders at the hands of Salah ed-Din al-Ayyubi and the rescuing of Palestine from their hands, as well as the defeat of the Tatars at Ein Galot, breaking their power at the hands of Qataz and Al-Dhaher Bivers and saving the Arab world from the Tatar onslaught which aimed at the destruction of every meaning of human civilization. The Movement draws lessons and examples from all this. The present Zionist onslaught has also been preceded by Crusading raids from the West and other Tatar raids from the East. Just as the Moslems faced those raids and planned fighting and defeating them, they should be able to confront the Zionist invasion and defeat it. This is indeed no problem for the Almighty Allah, provided that the intentions are pure, the determination is true and that Moslems have benefited from past experiences, rid themselves of the effects of ideological invasion and followed the customs of their ancestors.

The Islamic Resistance Movement is Composed of Soldiers:
Article Thirty-Six:

While paving its way, the Islamic Resistance Movement, emphasizes time and again to all the sons of our people, to the Arab and Islamic nations, that it does not seek personal fame, material gain, or social prominence. It does not aim to compete against any one from among our people, or take his place. Nothing of the sort at all. It will not act against any of the sons of Moslems or those who are peaceful towards it from among non-Moslems, be they here or anywhere else. It will only serve as a support for all groupings and organizations operating against the Zionist enemy and its lackeys.

The Islamic Resistance Movement adopts Islam as its way of life. Islam is its creed and religion. Whoever takes Islam as his way of life, be it an organization, a grouping, a country or any other body, the Islamic Resistance Movement considers itself as their soldiers and nothing more.

We ask Allah to show us the right course, to make us an example to others and to judge between us and our people with truth. "O Lord, do thou judge between us and our nation with truth; for thou art the best judge." (Al Araf–Verse 89).

The last of our prayers will be praise to Allah, the Master of the Universe.

C.   MAPS OF ISRAEL AND PALESTINE

The Maps are focused on the Gaza Strip and the West Bank.

Figure 7:   Map of Israel[443]

Figure 8:   Map of the Gaza Strip[444]

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[443] United Nations Office for the Coordination of Humanitarian Affairs, "Map Center: Country Maps, Israel," OCHA, http://ochaonline.un.org/Portals/18/maps/israel.jpg (accessed February 25, 2009).

Figure 9: Map of the West Bank[445]

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[444] Central Intelligence Agency, "The World Factbook: Gaza Strip," CIA, https://www.cia.gov/library/publications/the-world-factbook/geos/we.html (accessed February 25, 2009).

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