

HAMAS AND THE LIMITS OF PALESTINIAN STATE-BUILDING IN GAZA

by

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ABSTRACT

This paper argues that Hamas is not an effective state-builder. This assessment is based on an examination of the organization's state-building activities vis-à-vis the following four dimensions of state-building: a) nation-building, b) security provision, c) institutional development, and d) economic development. This project determines which areas of state-building Hamas is engaging in effectively and which ones it is not in terms of these four dimensions. The project concludes that while Hamas is engaging in effective nation-building, it is not engaging in an equally effective manner in the other three dimensions.

Keywords: economic development; Gaza Strip; Hamas; institutional development; Islamic radicalism; Israel; Jihad; nation-building; Palestine; self-determination; state-building; terrorism

For my brother, Devon...

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1: INTRODUCTION

The Palestinians do not yet have a state of their own. During the course of the last decade, Palestinian aspirations for self-determination have undergone a series of fascinating developments. Perhaps two of the most notable were the failure of the Camp David Accords and the rise of Hamas as the dominant form of Palestinian political organization in the Gaza Strip. The Accords remain the only offer where the Palestinians were granted the opportunity to form their own state; the rise of Hamas stems from the role it continues to play in the political and social developments inside Gaza. It is important to examine the limits of Hamas' state-building activities and also to identify their shortcomings so that modifications can be made by the organization to current Palestinian initiatives towards self-determination.

This research project posits that Hamas' current state-building initiatives will remain unsuccessful unless it modifies its approach towards the establishment of an independent and sovereign Palestinian state. In order to evaluate this hypothesis, I conduct a literature review of the state-building scholarship, identifying the specifics of what the process entails, namely that successful state-building requires nation-building, the provision of security, institutional development, and economic development. I then examine Hamas' activities with regard to the four aforementioned dimensions as a means of identifying any shortcomings that may exist in Hamas' state-building policies. In

order to make this argument effectively, I will now provide a few definitions to better contextualize the ideas and theories presented in this project.

A state, according to Max Weber, is a “human community which (successfully) lays claim to the *monopoly of legitimate physical violence* within a certain territory...the state is a relationship of *rule (Herrschaft)* by human beings over other human beings that rests on the legitimate use of violence (that is, violence that is held to be legitimate)”.¹ Francis Fukuyama presents a similar description of the state. Fukuyama understands the state to be an “ancient human institution dating back some 10,000 years”.² He depicts it as a human construction of a political nature, possessing the ability to enforce an established series of rules through tactics of coercion and violence.³ Gianfranco Poggi’s definition is not much different. Poggi relates the state as a form of political organization, vested and exercised through a set of purposefully contrived arrangements.⁴ These arrangements reflect: “a body of rules, a series of roles, a body of resources...committed to a distinctive...unified and unifying set of interests and purposes”.⁵ All three authors describe a very important feature of the state: the concept of sovereignty.

Sovereignty can be understood as supreme and unrestricted power.

According to Thomas Hobbes, sovereignty is the salient feature of the ‘state’.

¹ Weber, Max. “The Profession and Vocation of Politics.” In *Weber: Political Writings*, edited by Peter Lassman and Ronald Speirs, 310-311. Cambridge: Cambridge University Press.

² Fukuyama, Francis. *State-Building: Governance and World Order in the 21st Century*. New York: Cornell University Press, 2005, 1.

³ *Ibid*, 6.

⁴ Poggi, Gianfranco. *The State: Its Nature, Development, and Prospects*. Stanford: Stanford University Press, 1990, 19.

⁵ *Ibid*.

That is, a ruler's expression of power over those he or she governs.⁶ Hobbes characterizes sovereignty as a mechanism of control; namely, the ability of the ruler to successfully exercise his or her coercion upon his or her subjects. This particular attribute of the state is used throughout this project. It describes how states have existed since the establishment and legitimization of sovereignty and sovereign power by the treaty of Westphalia in 1648⁷; and, it is the model of the state frequently referred to in the state-building literature.⁸

One should note that the meaning of 'ruler' in this sense is not restricted to an individual ruler; it also describes a government or a regime's ability to successfully exercise coercion upon the citizenry. Therefore, for our purposes, ruler is referred to as the political body that governs a specific territory. Although the above definition describes sovereignty as an internal state dynamic between ruler and citizen, where the state's legitimacy is determined by the population's perception of the state, sovereignty can also exist as an external dynamic.

Some argue that a key feature of state sovereignty is international recognition since external recognition by other states and by international organizations can play a critical role in determining how external actors perceive the state.⁹ These perceptions can have a drastic impact on state-building activities. For example international financial institutions (i.e. The World Bank,

⁶ Hobbes, Thomas. *Leviathan*. New York: Oxford University Press, 1996, 90.

⁷ Gross, Leo. "The Peace of Westphalia, 1648-1948." *American Journal of International Law*, 1948: 21.

⁸ *Ibid*; Sorensen, Georg. *Changes in Statehood: The Transformation of International Relations*. Basingstoke: Palgrave, 2001.

⁹ Unsworth, Sue. *Conflict and Fragility: The State's Legitimacy in Fragile Situations*. Brief, OECD, Paris: OECD Publishing, 2010, 28-29.

The International Monetary Fund) may be unwilling to provide financial assistance to governments and to states that are not recognized by the international community. That said, while external recognition may be preferable, it may not always be necessary. As this paper will demonstrate, Palestinian state-building in Gaza will likely require external recognition of sovereignty in order to establish an independent Palestinian state.

Before getting to the core analysis of the limits of Hamas' state-building in Gaza, it is necessary to first set up the preliminaries of state-building by conducting a literature review. The literature review is laid out in section 2 of this project. Section 3 examines specific details about Hamas as a political and military organization in order to properly contextualize the project's core analysis. Section 4 analyses Hamas' activities against the background of the state-building dimensions enumerated in section 2. In this section, the findings of this project will demonstrate that Hamas is effectively engaged only in the nation-building dimension of state-building by attempting to forge a new Palestinian identity. The organization is not effectively engaged in the provision of security since its security wings are unaccountable to the general public, and also because these wings appear to be, at best, a mechanism for regime survival. Hamas is also failing the institutional development dimension of state-building, as its institutions are employed for indoctrination purposes rather than encouraging political stability and economic development. And finally, a limitation of the study is discussed in section 4.4 mentioning the difficulty of gauging Hamas' effectiveness in economic development due to a lack of reliable data.

2: STATE-BUILDING LITERATURE REVIEW

Although there are a variety of different opinions in regard to what the process of state-building entails, there are major features put forward by the relevant literature, four of which are identified for the purpose of this paper. A volume on state-building, edited by Roland Paris and Timothy D. Sisk, is an example of the alternative perspectives one finds within the academic literature on state-building. While the contributors in the Paris and Sisk monograph express alternative views on what the process of state-building entails, they nevertheless articulate an *a priori* list of what they describe as “core” state functions.¹⁰ These core functions include the provision of security, the rule of law (including a codified and promulgated body of law with a reasonably effective support for the poorest members of the community, and essential healthcare), a rudimentary ability to formulate and implement budget plans, and revenue collection through taxation.¹¹

Other scholars like Mark T. Berger view the process of state-building differently:

“[A]n externally driven, or facilitated, attempt to form or consolidate a stable, and sometimes, democratic, government over an internationally recognized national territory against the backdrop of

¹⁰ Paris, Roland, and Timothy D Sisk. “Introduction: Understanding the Contradictions of Postwar Statebuilding.” In *The Dilemmas of Statebuilding: Confronting the Contradictions of Postwar Peace Operations*, edited by Timothy D Sisk and Roland Paris. New York: Routledge, 2009, 15.

¹¹ *Ibid.*

the establishment and consolidation of... universalization of a system of sovereign nation-states".¹²

Francis Fukuyama argues, "state-building is the creation of new government institutions and the strengthening of existing ones".¹³ Others define the process of state-building as "the creation and strengthening of the civil and military institutions that comprise a government".¹⁴ In spite of the variety of available definitions and perspectives within the state-building literature, there are noticeable overlaps, which is why I have narrowed down the factors involved in state-building processes into the following four dimensions in this paper: a) nation-building, b) security provision, c) institutional development, and d) economic development. I have opted to proceed in this manner for two additional reasons: The first reason is due to the fact that all the literature examined throughout the course of my research can be catalogued into one of the four dimensions. Secondly, once the four dimensions are combined into a holistic framework, they work cohesively towards the desired 'end result' of a functional and sustainable state apparatus; none of the four dimensions lead to a sustainable state apparatus without the support of the other three.

¹² Berger, Mark T. "From Nation-Building to State-Building: The Geopolitics of Development, the Nation-State System and the Changing Global Order." *Third World Quarterly* 27, no. 1 (2006): 6.

¹³ *Supra*, Fukuyama, ix

¹⁴ Paine, S.C.M. "Introduction." In *Nation Building, State Building and Economic Development: Case Studies and Comparisons*, edited by S.C.M. Paine. Armonk: M.E. Sharpe, 2010, 7.

2.1 Nation-Building

In order to avoid possible confusion, it is prudent to differentiate between the 'nation' and the 'state'. Although the two concepts are related, they remain separate and distinct. A nation refers to a community of people with a single cultural identity, including a sense of distinctiveness and unity.¹⁵ The state, on the other hand, refers to concepts such as public institutions, and the machinery of governance, ranging from courts and legislatures to laws and bureaucrats.

Nation-building is the primary step towards the formation and the successful establishment of the state apparatus because it creates a common cultural identity binding populations together and enabling them to work together towards collective goals and decision-making.¹⁶ Establishing a new state is not an endeavor that can be achieved by a single individual, nor is it one that can be achieved by a mere handful of participants. State-building requires a large scale commitment.

According to S.C.M. Paine, "nation-building describes a comprehensive process, where a cultural identity is created in relation to a particular territory".¹⁷ The attachment of a group's cultural identity to a specific geography facilitates the large-scale commitment state-building requires. Thus, a major objective of nation-building is to mould disparate elements of a populace into a congruent

¹⁵ Gellner, Ernest. *Nations and Nationalism*. New York: Cornell University Press, 1983, 5-7.

¹⁶ Etzioni, Amitai. "A Self-Restrained Approach to Nation-Building by Foreign Powers." *International Affairs*, 2004: 2-3.

¹⁷ Scott, Zoe. *Literature Review on State-Building*. Birmingham: International Development Department, University of Birmingham, May 2007, 3.

whole by forging new identities at a national (or state) level.¹⁸ This is sometimes done at the expense of localism and particularistic identities.¹⁹

Benedict Anderson argues that nations are ‘imagined communities’, “because the members of even the smallest nation will never know most of their fellow-members, meet them, or even hear of them, yet in the minds of each lives the image of their communion”.²⁰ When nations are formed, their members become bonded to their fellow-members. Members of imagined communities identify themselves through common traits and values, which serve to differentiate them from other groups, other people, and in turn from other nations.²¹ These kinships permeate the ethos of every society. The development of a shared value system plays a central role in the process of nation-building. Indeed, kinships, and common traits and values are so important to nation-building that some scholars argue the ‘nation’ to be a more significant social construction than that of the ‘state’, due to the former’s inclusion of a strong element of community.²²

What makes the aforementioned sense of community relevant to our discussion of nation-building is the pivotal role it plays in establishing a collective value system within nations. It is in this sense that the politics of identity can be very powerful because of its capacity to unify large numbers of individuals

¹⁸ *Supra*, Etzioni, 2.

¹⁹ *Ibid.*

²⁰ Anderson, Benedict. *Imagined Communities: Reflections On The Origins and Sread of Nationalism*. New York: Verso, 1997, 6.

²¹ Hoover, Kenneth R., James Marcia, and Kristen Parris. *The Power of Identity Politics in a New Key*. Chatham: Chatham House Publishers, 1997, 6-9.

²² *Supra*, Etzioni, 3.

together by bonding them with a series of common characteristics.²³ In turn, these characteristics serve to form both the community and the nation. Inherent to the notion of nation then, is a subtle commitment to the common good, to shared values, and bonds, all of which emerge from the formation of a single community.²⁴

These commitments allow for collective decision-making and often impose sacrifices on various participants in the name of the common good.²⁵ Without the reinforcement of a shared value system, or effective bonds, said sacrifices are unlikely to be perceived as legitimate.²⁶ Nation-building is therefore paramount to state-building because it facilitates the cooperation of the group, and is the element of state-building that brings individuals together by getting them to collaborate on mutually beneficial arrangements. One of these arrangements is the provision of security.

2.2 Provision of Security

The provision of security encompasses many elements including the phenomenon of war, threats to the state, and the state's use and control of military force.²⁷ The provision of security is the primary mechanism states utilize to maintain legitimate authority; it is also the mechanism they use to defend their

²³ *Supra*, Hoover *et al.*, 6-9.

²⁴ *Supra*, Etzioni, 3.

²⁵ *Ibid*, 3.

²⁶ *Ibid*.

²⁷ Buzan, Barry, Ole Waever, and Jaap de Wilde. *Security: A New Framework for Analysis*. Boulder: Lynne Rienner Publishers, 1998, 3.

right to continue governing.²⁸ In this sense, legitimacy is the extent to which people regard a political order, institution, or actor as satisfactory, and believe that no available alternatives would be vastly superior.²⁹

Many scholars argue that the primary purpose of the state is to provide security to the citizenry, from both internal and external threats via the use of state agents such as the military, police services, and through the rule of law.³⁰ An external threat to the state might be an invading army. If the state is unable or unwilling to protect its citizens from the invading forces, it loses its legitimacy to govern. On the other hand, if the state uses its agents to violate the human rights of its citizens, and the state's institutions do not hold the agents accountable for their actions, then that state is not providing security.

When it comes to evaluating the role security plays in state-building endeavors, one of the main challenges for a state is establishing the legitimacy of its security forces. According to Weber, only the state is endowed with the generally accepted right to use force against its citizens and against other states.³¹ Other groups and individuals can use force only in exceptional cases, but these are rarely considered legitimate.³² Interestingly, and critically for our discussions here, it is usually the state itself that defines the criteria to determine when the use of force is legitimate, and subsequently, when its use (by other

²⁸ *Ibid*, 26.

²⁹ *Supra*, Unsworth, 15.

³⁰ *Ibid*.

³¹ *Ibid*.

³² *Ibid*.

non-state agents) is criminal.³³ A state's ability to provide security for its citizens enhances its legitimacy. One way that states can satisfy the local security needs of their citizens is by maintaining the rule of law and subsequently by maintaining social order.

The rule of law is a judicial principle used by many states. It functions by enforcing social behaviour via codified formal regulations that define acceptable conduct.³⁴ When these codified 'rules' are violated, all individuals are equally accountable to the law, regardless of social strata, affiliation, gender or race, and they are all equally subject to prosecution.³⁵ A justice system based on the rule of law requires judicial independence from the government and from political leaders.³⁶ This means that members of the judiciary (i.e. judges and magistrates) are free to enforce laws without interference from the government. Generally, state institutions maintain law and social order by engaging in predictable behaviors, which are (again) defined by formal legislation.

The maintenance of law and order is strongly advocated by both scholars and practitioners who argue that individuals are less likely to improve and invest in their futures if they feel insecure.³⁷ In state-building, it is important for states to provide security for their citizens, as investment in the future spurs development; impoverished societies are those who do not have the means to invest in their future, and when investment in the future does not occur economic growth is

³³ *Ibid.*

³⁴ Department for International Development. *Guidance Note: Putting SSAJ Policy Into Politics*. Brief, London: Stairway Communications, 2002, 12.

³⁵ *Ibid.*, 21.

³⁶ *Ibid.*, 43.

³⁷ *Ibid.*, 12.

retarded.³⁸ When the state does not provide its citizens with security, and does not protect them from internal and external threats, investment in the future is unlikely to occur. As the next section illustrates, investment in the future is best achieved by institutional development.

2.3 Institutional Development

Institutions are important government structures because they facilitate a country's ability to monitor and regulate financial transactions and societal behavior by providing 'the rules of the game'. In this regard, John Harriss writes: "institutions are...humanly devised rules that affect behaviour, constraining certain actions, providing incentives for others...making social life more or less predictable".³⁹ Other scholars explain that once institutions are implemented as the mechanism which can perform checks on government and secure property rights, investment in human and physical capital are expected to follow.⁴⁰ Indeed, there is a large intellectual consensus among development experts that political institutions limiting governments from engaging in unlawful/undesirable behaviour lead to economic growth.⁴¹

³⁸ *Ibid*, 12-15.

³⁹ Harriss, John. *Institutions, Politics and Culture: A Case for 'Old' Institutionalism in the Study of Historical Change*. London: London School of Economics, 2002, 1.

⁴⁰ Glaeser, Edward L., Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer. *Do Institutions Cause Growth?* Cambridge: National Bureau of Economic Research, June 2004, 2.

⁴¹ *Ibid*.

Adam Smith famously argued for the above, as do more contemporary scholars.⁴² However, there are also those who argue that growth in income and human capital leads to institutional improvement. This view is often associated with that of Seymour Martin Lipset who believes that education leads individuals to conflict management and resolution.⁴³ According to his research, knowledge and literacy empower the citizenry to negotiate and engage with/through government institutions.⁴⁴ Regardless of which of the aforementioned perspectives is more convincing, taken together, they essentially convey the same message: institutions promote economic growth. As we will see in the next section of the literature review, economic growth is a requirement of successful state-building.

2.4 Economic Development

The fourth dimension of state-building is that of economic development, defined as: “sustained increase in the economic standard of living of a country's population, normally accomplished by increasing its stocks of physical and human capital and improving its technology”.⁴⁵ In terms of state-building, the United Nations Development Programme (UNDP) suggests that economic

⁴² *Ibid*; Keefer, Philip, and Steven Knack. “Institutions and Economic Performance: Cross-Country Tests Using Alternative Measures.” *Economics and Politics*, 1995: 207-227; Easterly, William, and Ross Levine. “Tropics, Germs, and Crops: How Endowments Influence Economic Development.” *Journal of Monetary Economics* 50, no. 1 (2003): 3-39; Rodrik, Dani, Arvind Subramanian, and Francesco Trebbi. “Institutions Rule: The Primacy Of Institutions Over Geography And Integration In Economic Development.” *Journal of Economic Growth*, 2004: 131-165; Dollar, David, and Aart Kraay. “Institutions, Trade and Growth.” *Journal of Monetary Economics* 50, no. 1 (2003): 133-162.

⁴³ *Supra*, Glaeser *et al.*, 3.

⁴⁴ *Ibid*.

⁴⁵ Deardorff, Alan V. *International Economics Glossary: E*. 2010. <http://www-personal.umich.edu/~alandear/glossary/e.html> (accessed January 24, 2011).

growth is essential in enabling the state to support its activities. In former areas of conflict where economic growth occurs, the UNDP enumerates the importance of 'post-conflict economic recovery', defining it as: "the process of return from instability and conflict to a 'normal' development trajectory, where a country has reacquired the capability to make and implement economic policy as part of a largely self-sustaining process of economic governance".⁴⁶ This is particularly important in the case of state-building in Gaza, as it can be considered a 'post-conflict' area due to the fact that violent conflict has been a constant in the region since 1967.

A strong relationship exists between institutional and economic development. As we learned earlier while exploring the institutional dimension of state-building, scholars share a widely-held belief that institutional quality holds the key to economic prosperity.⁴⁷ More specifically, that: "rich countries are those where investors feel secure about their property rights, the rule of law prevails...monetary and fiscal policies are grounded in solid macroeconomic institutions...and citizens have recourse to civil liberties and political representation".⁴⁸

A 2008 study commissioned by the World Bank demonstrates that variations in income per capita across several countries are a reflection of the differences between the qualities of the economic institutions in those

⁴⁶ United Nations Development Programme. *Crisis Prevention and Recovery Report 2008: Post-Conflict Economic Recovery: Enabling Local Ingenuity*. Brief, Bureau for Crisis Prevention and Recovery (BCPR), New York: United Nations Publications, 2008, 4.

⁴⁷ Rodrik, Dani. *Getting Institutions Right*. Cambridge: Harvard University, April 2004, 1.

⁴⁸ *Ibid.*

countries.⁴⁹ The study compares the economic growth rates of various countries as well as differences in the structures of the economic institutions in question. The Bank's analysis indicates that differences in income per capita results from: different collective choices, differences in political institutions, and the distributions of political power within the countries studied.⁵⁰ According to the Bank's findings, countries with the highest degree of economic development are the ones who possess institutions, which are balanced by strong regulatory policies, and where the behaviour of political leadership is constrained by law.⁵¹ Essentially, accountability and predictability, as determined by political and economic institutions is what leads to economic development. In other words, functional institutions are a prerequisite for successful economic development in state-building.

To recapitulate the findings of the literature review section: nation-building involves the creation of a common cultural identity. The provision of security involves maintaining social order via such mechanisms as the rule of law. Institutional development involves mechanisms that: limit a government's power, hold the state accountable to its citizens, and also foster economic growth. Economic development, on the other hand, involves a sustained increase in the standard of living of a country's population. After examining Hamas' background and organizational structure in the next section of this project, the analysis

⁴⁹ Acemoglu, Daron, and James Robinson. *The Role of Institutions in Growth and Development*. Working Paper, Washington: The International Bank for Reconstruction/ The World Bank, 2008, 25.

⁵⁰ *Ibid.*

⁵¹ *Ibid*, 20-25.

section will examine the levels of success and/or failure in the organization's activities as they relate to the four dimensions of state-building.

3: HAMAS

This section provides a historical overview of Hamas and its methodology and orientation in order to contextualize its approach towards the four dimensions of state-building. The paper then proceeds with a detailed analysis of Hamas' state-building activities in Gaza by contextualizing its activities under the scrutiny of each of the four dimensions of state-building established earlier in section 2.

3.1 Background

The name Hamas, meaning “Zeal”, is an acronym for *Harakat al-Muqawama al-Islamiya*, which translates to “Islamic Resistance Movement”.⁵² The organization originated from the Egypt-based Muslim Brotherhood in 1989 and is considered the Palestinian branch of the Brotherhood (although they remain separate and distinct).⁵³ Hamas is a political organization driven by religious precepts whose objective is to create an Islamic Palestinian state in the area including Israel and the Occupied Territories (OT).⁵⁴

⁵² Levitt, Matthew. *Hamas: Politics, Charity, and Terrorism in the Service of Jihad*. Harrisonburg: The Washington Institute for Near East Policy, 2006, 8.

⁵³ Maqdsi, Muhammad. “Charter of the Islamic Resistance Movement (Hamas) of Palestine.” *Journal of Palestinian Studies*, 1993: Article 2.

⁵⁴ The Occupied Territories include the West Bank and the Gaza Strip.

Hamas' methodology is Islamic in origin and military in orientation. In order to "raise the banner of God over every inch of Palestine"⁵⁵, Hamas methodically calls Palestinians towards the way of the *Jihad*.⁵⁶ According to John L. Esposito, a well-known Islamic scholar, the word 'Jihad' can be interpreted in one of three ways: the effort to lead a good life through purifying one's intentions and deeds, to make society more moral and just, and to spread Islam through preaching, teaching, or armed struggle.⁵⁷ The first of the three is referred to as the *Greater* and the last two, which are considered interconnected, are categorized as the *Lesser* *Jihads*.⁵⁸ The former alludes to the internal struggle of having to control one's emotions and passions, whereas the latter pertains to combating one's enemies on behalf of the (Muslim) community.⁵⁹

Hamas promotes itself through its charter as instrumental in upholding the Lesser Jihad. Hamas' Charter speaks directly to the ongoing Israeli/Palestinian conflict portraying it as a conflict in which Palestinian Muslims assume an obligation to promote "God's kingdom on earth" by murdering Israelis through acts of *martyrdom*.⁶⁰ The Charter depicts Jews and Israelis alike as "oppressors" who have "desecrated" Palestine through their "impurity" and

⁵⁵ *Supra*, Maqdsi, *Article 6*; Hamas considers 'Palestine' to constitute Israel combined with the Occupied Territories.

⁵⁶ *Ibid*, *Article 8*.

⁵⁷ Esposito, John L. *The Islamic Threat: Myth of Reality?* New York: Oxford University Press, 1999, 30.

⁵⁸ Noorani, Abdul Gafoor Adbdul Majeed. *Islam & Jihad: Prejudice Versus Reality*. New York: Zed Books, 2002, 46-47.

⁵⁹ *Ibid*.

⁶⁰ Firestone, Reuven. *Jihad: The Origins of Holy War in Islam*. New York: Oxford University Press, 1999,17; *Supra*, Maqdsi, *Article 8-9*.

“evil”.⁶¹ As such, “all Muslims who share Hamas’ beliefs and ideology” are encouraged to “enact its program, keep its secrets”, to “join its ranks to carry out the duty and receive...reward from God”.⁶²

In other words, Hamas is calling upon Muslims in general, and Palestinians in particular to fight the Jews/Israelis and become *shakhid*: slain Muslims who have died combating infidels in God’s name. Being permitted to enter paradise after death is the reward these martyred individuals receive from God.⁶³ Hamas is able to operate in this fashion by manipulating the Islamic tradition of the *Dawa*.

‘Dawa’ is a mechanism that describes the propagation of radical Islamic ideology and speaks literally to the appeal of becoming Muslim.⁶⁴ In this instance, the Dawa encompasses all of Hamas’ social welfare and proselytization network.⁶⁵ The Dawa was originally set up by Hamas’ spiritual leader and co-founder Sheikh Ahmed Yassin, who deployed it through his preaching in order to penetrate the Palestinian consciousness.⁶⁶ Strategically, he began establishing member cells throughout the Gaza Strip. These networks continued to spread, and eventually, Hamas, in the form of an organization, emerged out of them.⁶⁷

⁶¹ *Supra*, Maqdsi, *Article 3*.

⁶² *Ibid*, *Article 4*.

⁶³ Nafziger, George F. *Islam at War: a History*. Westport: Praeger Publishers, 2003, 194-195.

⁶⁴ Ministry of the Interior and Kingdom Relations. *From Dawa to Jihad: The Various Threats From Radical Islam to the Democratic Legal Order*. Brief, General Intelligence and Security Service (AIVD), Zoetermeer: General Intelligence and Security Service (AIVD), 2004, 7.

⁶⁵ *Supra*, Levitt, 3.

⁶⁶ *Ibid*, 24.

⁶⁷ *Ibid*.

The mechanism in which Hamas transforms an otherwise territorial conflict into an ideological one is through the notion of *Waqf*. By first establishing Ottoman Palestine as a *Waqf*, Hamas can legitimize Jihad. *Waqfs* are: “the detention of a specific property from the ownership of any person, and the gift of its income...either presently or in the future, to some charitable purpose.”⁶⁸ *Waqfs* shield objects and properties, by preventing them from becoming the property of third parties.⁶⁹ *Waqfs* are pious endowments established after the owner surrenders his power of disposal of part or all of that property.⁷⁰ Once established, *Waqfs* forbid the transfer of property from one owner to another.⁷¹

Hamas does not recognize the legitimacy of the Israeli state and maintains that, both Israel and the OT comprise a sacred Islamic *Waqf*.⁷² By establishing that Palestine is a *Waqf*, Hamas contends that Palestinian Muslims have a religious obligation to observe the Jihad, since Palestine is an “Islamic land entrusted to the Muslim generations until Judgment Day”.⁷³ To this, the Charter proclaims:

“The Final Hour will not come until Muslims fight against the Jews and the Muslims kill them, and until the Jews hide behind rocks and trees, and a stone or tree would say: O Muslim, servant of God, there is a Jew hiding behind me, come on and kill him!”⁷⁴

⁶⁸ Dallal, Ahmad. “The Islamic Institution of *Waqf*: A Historical Overview.” In *Islam and Social Policy*, edited by Stephen P. Heynemen, 13-43. Nashville: Vanderbilt University Press, 2004, 13.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*, 14.

⁷¹ *Ibid.*

⁷² *Supra*, Maqdsi, *Article 11*.

⁷³ *Ibid.*

⁷⁴ *Ibid.*, *Article 7*.

By depicting 'Palestine' as a Waqf in accordance to Islamic rhetoric Hamas' Charter asserts that "no one may renounce all or even part of it", and that no one may "dispose of it or relinquish or cede any part of it, because Palestine is Islamic land that has been entrusted to generations of Muslims..."⁷⁵ Therefore, depicting Palestine as a Waqf is a strategy that permits Hamas to reinforce its political agenda by legitimizing violent activities against Israel, and also by veiling them in a religious discourse. However, this premise does not reflect historical fact.

The reality is that Palestine was not considered a Waqf by the Ottoman Empire. Records from the Ottoman Sharia Court in the 16th century testify that Jews were permitted to purchase land in Palestine.⁷⁶ This would not have been possible if Palestine was considered a sacred territory, since the Ottomans would have never ceded any part of a Waqf because the Ottomans were Muslims. The question of whether Palestine is a Waqf emerged when a few Muslim clerics expressed their concern with the increase of land purchases by Jews in Palestine during the 1920-1930s.⁷⁷

These clerics concluded that the influx of Jews could be countered if Arabs in the region could be convinced that Palestine was a Waqf.⁷⁸ Therefore, the circumstances under which the discourse of Palestine as a Waqf emerged

⁷⁵ *Ibid*, Article 11.

⁷⁶ Reiter, Yitzhak. "'All of Palestine is Holy Muslim Waqf Land": A Myth and its Roots." In *Law, Custom, and Statute in The Muslim World: Studies in Honor of Aharon Layish*, edited by Ron Shaham, 173-197. Boston: Brill, 2007, 188-190.

⁷⁷ *Ibid*, 179.

⁷⁸ *Ibid*, 179-182.

raise questions about the accuracy of the claim that it is in fact a sacred Waqf.

The next section lays out the analyses and the main arguments of this project.

4: ANALYSIS

4.1 Hamas on Nation-Building:

“In the absence of clearly-defined goals, we become strangely loyal to performing daily trivia until ultimately we become enslaved by it” Robert Heinlein, science fiction author (1907-1988)

The evidence presented in this section demonstrates how Hamas is engaging in nation-building. The organization strategically employs religious dogma wrapped around social services in order to create an Islamic Palestinian nation. By forming what can be described as an ‘imagined [Muslim] Palestinian community’ in Gaza, Hamas is able to link its political objectives to the ‘collective common good’ by portraying its political objectives in religious terms. This tactic is successful because the social services provided by Hamas are provided to the Palestinians in an Islamic context. Since services are provided while doctrine is preached, recipients risk becoming indoctrinated with radical Islamic principles presented by Hamas operatives. Moreover, Palestinians who join Hamas benefit from the special privileges accrued to them by affiliating with the organization due to Hamas patrimonialism.

As mentioned in the Nation Building section (section 2.1) above, establishing a shared identity, to which an ideological cause is an essential part, is considered a crucial element in nation building. In order to forge a distinct identity for its intended nation, Hamas needs to establish an ideological cause for

its claim. Hamas binds the Palestinians together in the geography of 'Palestine' by providing them with a series of collective goals (i.e. destroying Israel through the Jihad, establishing an Islamic state, murdering Israelis, etc.). Depicting Palestine as a Waqf not only renders a strong ideological cause, but also permits Hamas to reinforce its political agenda by legitimizing Jihad and its violent initiatives.

Clifford Geertz provides a useful perspective on this tactic. He describes religion as a "symbolic structure that generates meaning for people, a world view capable of providing answers to human problems, and an ethos telling people how they should act".⁷⁹ In this context, Hamas manipulates the tenets of Islam by framing Palestine as a Waqf and by calling on Muslims to Jihad in order to liberate it. One can say Hamas' strategy is effective, since its operatives continue to attack Israel through acts of terrorism on a regular basis.⁸⁰

Calling on the stateless Palestinians to 'reclaim' a territory that Hamas asserts is 'meant' for them, Hamas is able to convince numerous Palestinians to take up arms and in other, more extreme cases, to sacrifice themselves for the Jihad.⁸¹ Framing the conflict as a religious struggle, and strategically legitimizing acts of violence against Israel provides the Palestinians with both a common

⁷⁹ Litvak, Meir. "The Islamization of the Palestinian-Israeli Conflict: The Case of Hamas." *Middle Eastern Studies*, 1998: 148.

⁸⁰ This paper uses the definition of terrorism employed by the American government. The Americans define terrorism as "politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents, usually intended to influence an audience". For more info see: Ruby, Charles L. "The Definition of Terrorism." *Analyses of Social Issues and Public Policy*, 2002: 11. For more info on continuing Hamas terrorist attacks on Israel see: Israel Ministry of Foreign Affairs. *Hamas War Against Israel*. 24 March 2011. http://www.mfa.gov.il/MFA/Terrorism-+Obstacle+to+Peace/Hamas+war+against+Israel/Escalation_rocket_mortar_attacks_Gaza-March_2011.htm (accessed March 28, 2011).

⁸¹ *Supra*, Maqdsi, *Article 13-15*; *Supra*, Levitt, 83-85.

sense of purpose and a solution to their destitution. By applying Geertz' definition of religion to Hamas' ambitions and activities in Gaza, one gains more insights into the Islamic context from which Hamas operates, and one begins to see how Hamas' religious discourse facilitates its ability to recruit and incite Muslims and Palestinians alike to join its ranks in a 'Holy War' against Israel.⁸²

Scholars such as Meir Litvak describe this process of recruitment as the "Islamization" of the Israeli/Palestinian conflict, and argue that islamizing the conflict results in: a) a certain conceptualization of the conflict's causes and sources through religious-Islamic lenses (i.e. the assertion that Palestine is a Waqf that *rightfully* [emphasis added] belongs to Palestinian Muslims, who are religiously *obligated* [emphasis added] to reclaim it); b) a perception of the desirable solution (i.e. the destruction of Israel and the genocide of the Jews); c) the provision of the motivation and justification for a specific mode of conduct in order to achieve that goal (i.e. becoming shakhid by murdering the Jews via the Jihad).⁸³

Hamas supporter and scholar Khaled Hroub explains that the Jihad is achieved through the social action theory encompassed by the Charter; this theory incorporates two major and interrelated components. The first is "the struggle against Israeli occupation [which] must be waged by a 'fortified society', and the second is "...'fortifying society' in the necessary manner only can be done [sic] through religious education and a commitment to Islam".⁸⁴ He argues

⁸² *Supra*, Levitt, 107-113.

⁸³ *Supra*, Litvak, 148, 157-159.

⁸⁴ Hroub, Khaled. *Hamas: Political Thought and Practice*. Washington: Institute for Palestinian Studies, 2000, 234.

that Hamas' discourse and practice revolves around these two ideas.⁸⁵ Hroub points to the Charter's assessment that the Jihad requires: "...that an Islamic education be given to the masses locally".⁸⁶ This follows the reasoning that: "building [a] Muslim society is a necessity in the struggle for liberation".⁸⁷ It is no wonder then, that the Charter discusses the importance of preparing the Palestinians to undertake the 'struggle' at considerable length.⁸⁸ It also demonstrates religion's capacity to provide people with answers, values, and solutions on how to act. In the case of Palestinian state-building, Hamas is attempting to provide the Palestinians with a specific solution to their destitution (prescribing the Jihad) by educating them in a radical Islamic matrix.

Educating the Palestinians in the ways of Islam operationalizes the Jihad. Women are called to train children "to perform their religious obligations" with radical Islamic values that legitimize the use of violence, thereby preparing children for "their contribution to the Jihad that awaits them"⁸⁹, i.e. the value of dying for the liberation of Palestine. The education process is said to "involve scholars, teachers, educators, communicators, journalists, and the educated..." in order to successfully implement "...fundamental changes...in the educational system...using a curriculum that will provide the Muslim with the *correct* [sic, emphasis added] worldview in ideology and thought".⁹⁰ The education provided

⁸⁵ *Ibid.*

⁸⁶ *Supra*, Maqdsi, *Article 15*.

⁸⁷ *Supra*, Hroub.

⁸⁸ *Ibid.*

⁸⁹ *Supra*, Maqdsi, *Article 18*.

⁹⁰ *Ibid*, *Article 15-16*.

by Hamas denotes: “We must instill in the minds of Muslim generations that the Palestinian cause is a religious cause...it must be solved on this basis...”⁹¹

Hroub proposes that Hamas’ popularity and political success stem from its ability to build a “cohesive [Muslim] society characterized by solidarity”.⁹² He contends that this plays out in the aforementioned ‘fortification’ of Palestinian society, that it is necessary, and that it “must take place in tandem with the confrontation with the enemy and the struggle for liberation”.⁹³ Hroub argues that these processes function coherently and complementarily; “...the first process fortifies society through education, and the second challenges the occupation with a fortified society”.⁹⁴

In summation, Hamas believes that it can create an Islamic state in the place of Israel and the OT by subjecting the Palestinians to a process of radical Islamic indoctrination through the Hamas’ Dawa. This integration of social programs and extremist religious indoctrination functions skilfully by providing an avenue of recruitment for suicide bombers, an extremely valued instrument in Hamas’ holy war against Israel.⁹⁵

Presumably, this is what Hroub proposed when he spoke of ‘fortifying’ Palestinian society with the use of social services. If one wishes to measure the effectiveness of Hamas’ nation-building efforts according to criteria presented above, then one must not only ask whether it is nation-building, but what is it

⁹¹ *Ibid*, Article 15.

⁹² *Supra*, Hroub, 235.

⁹³ *Ibid*.

⁹⁴ *Ibid*.

⁹⁵ For more info, see *Supra*, Levitt, 107-142.

doing towards that end? How does it contribute to the formation of a national Palestinian identity? The answer lies in an examination of the structural wing of the Hamas *Dawa*.

The *Dawa* network facilitates Hamas' expansion of grassroots support by placing its provision of social services in an Islamic context.⁹⁶ This strategy has proven to be a successful unification/ recruitment mechanism in institutions such as summer camps, schools, mosques, and orphanages.⁹⁷ The *Dawa* furthers the Hamas nation-building project in the following ways: it bonds the Palestinians together by forming an Islamic 'imagined community', it provides them with a shared value system, and with a commitment to the [Muslim] 'common good'. Hamas leaders have confessed as much when they described the *Dawa* as the "most important tool for furthering the organization's goals of destroying Israel...and recruiting grassroots and operational support".⁹⁸ Arguably, it is this drive that unites Palestinians in Gaza together, and encourages them to work with one another according to the principles put forth by Hamas.

Converted Palestinians not only share a common history, but now also share a common religion, and a desire to 'liberate' what they perceive to be their religious territory. Arguably, Islam serves to unite the Palestinians in a more effective way than when they were united in previous years by Fatah's secular efforts. Hamas provides the Palestinians in Gaza with political objectives that are legitimized by religious obligations; the amalgamation of these elements work

⁹⁶ *Supra*, Hroub, 10.

⁹⁷ *Ibid*, 5.

⁹⁸ *Supra*, Levitt, 32.

concomitantly towards the establishment of Hamas' main objective.⁹⁹

Interestingly, these practices are not unlike the nation-building efforts that took place in 19th century Europe, when a common identity was imposed on local populations through the use of a common language, and culture in schools.¹⁰⁰ Consider that in Gaza, a common identity is being imposed onto a group via a number of institutions that provide badly needed social services.

It is conceivable that without the power and appeal of its religious call, Hamas would not be as successful in beckoning Palestinians to join its ranks. Keeping in mind the organization's underlying religious dimensions, one can reasonably conclude that a traditionally secular group of individuals like the Palestinians, require a powerful incentive to 'sign up' with an organization that is fuelled by religious ideology.¹⁰¹ It is therefore advisable to identify the specifics behind this phenomenon.

Perhaps the incentive to 'enlist' with Hamas is as simple as the provision of one's 'basic needs'. The incentive to become a Hamas member and/or supporter might stem from the "deplorably low standard of living" that Palestinians have lived in for years.¹⁰² A 2004 report by the World Bank indicates that almost half of the Palestinians in Gaza live below the poverty line

⁹⁹ *Supra*, Maqdsi, Article 21.

¹⁰⁰ Ottaway, Marina. "Nation Building." *Foreign Policy*, 2002: 17.

¹⁰¹ *Supra*, Levitt, 107.

¹⁰² *Ibid*, 5.

of \$2/day.¹⁰³ An additional report by the UNDP, *The Arab Development Report 2003*, documented that two-thirds of the Palestinian workforce in Gaza was unemployed.¹⁰⁴ During this time, Palestinians in Gaza were “more dependent on food aid than ever before”.¹⁰⁵ One can therefore reasonably deduce that if individuals’ basic needs are not met, they are more likely to be enticed by what religious zealots have to say when the zealots are providing for their basic human needs. Matthew Levitt has argued in this regard.

Levitt asserts that Hamas capitalizes on the humanitarian crisis of the Palestinians.¹⁰⁶ He maintains that the provision of badly needed social services and aid attracts secular Palestinians towards Hamas membership.

Unfortunately, as Hamas also uses mosques, schools and hospitals as meeting places and centres to facilitate terrorism¹⁰⁷, Palestinians risk being subjected to radicalization by virtue of being exposed to religious indoctrination techniques and/or propaganda.¹⁰⁸ Islamic centres, where Hamas social services are distributed, play a vital role in Hamas’ nation-building since services translate the

¹⁰³ Juma, Sereen, and Elena Maria Peresso. *Palestinian Authority: World Bank Launches Multi-Donor Trust Fund To Support Reform Program*. 27 April 2004. <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:20195950~menuPK:34463~pagePK:34370~piPK:34424~theSitePK:4607,00.html> (accessed October 17, 2010).

¹⁰⁴ States, Regional Bureau of Arab. *Arab Human Development Report*. Report, United Nations Development Programme, United Nations, New York: United Nations Press, 2003, 25.

¹⁰⁵ *Ibid.*

¹⁰⁶ *Supra*, Levitt, 6.

¹⁰⁷ For information on how Hamas uses mosques, schools and hospitals to facilitate terrorism, see: —. *Mosques in the Palestinian Authority-Administered Territories and on the Temple Mount are Centers for Inflammatory anti-American Incitement*. November 2003. http://www.terrorism-info.org.il/malam_multimedia/html/final/eng/sib/mpa_11_03/mosques.htm (accessed March 19, 2011).

¹⁰⁸ *Ibid.*

organization's social discourse into a palpable reality because they contribute to the formation of an autonomous Palestinian civil society.¹⁰⁹

In addition to the obvious benefits that stem from one's ability to access social services, Palestinians know that higher degrees of participation in Hamas activities will be rewarded via special 'perks' exclusive to participants in said activities. A 1999 report by Palestinian Authority (PA) security and intelligence forces indicated that, on the Muslim holiday *Eid al-Adha*, or 'Feast of the Sacrifice', Hamas distributed larger portions of meat to members and those "connected to the Hamas movement".¹¹⁰ An Israeli analysis of documents seized during raids on Hamas affiliated charities also revealed that "favoured individuals" receive larger stipends than others.¹¹¹ Among the lists were individuals, widows, parents, and sometimes even entire families of Hamas martyrs.¹¹² By using the Dawa's social services, Hamas is able to buy the loyalty of the Palestinian in Gaza.

One could construe Hamas' attempts to buy loyalty as acts of patrimonialism; a system of rule where exchanges of resources occurs from political officials to their associates (i.e. cronies).¹¹³ Weber defined patrimonial states as those where "practically everything depends explicitly upon personal considerations...upon purely personal connections, favours, promises, and

¹⁰⁹ *Supra*, Hroub, 240.

¹¹⁰ —. *Spotlight on a Hamas da'wah institution in the West Bank*. January 2005. http://www.terrorism-info.org.il/malam_multimedia/html/final/eng/sib/1_05/dawah.htm (accessed July 3, 2010).

¹¹¹ *Supra*, Levitt, 122.

¹¹² *Ibid.*

¹¹³ Budd, Eric. *Democratization, Development, and The Patrimonial State*. Oxford: Lexington Books, 2004, 2.

privileges”.¹¹⁴ Hamas gives martyrs and their families more money and more food than it gives to Palestinians who are not affiliated with the organization. As a result, one can conclude that Hamas is comprehensively engaged in patrimonialism.

Further evidence exposing the degree of patrimonialism within Hamas comes from a Palestinian Intelligence report dated December 10, 2000. The report documents a redirection of funds that were originally intended to provide for Palestinian social services into the personal bank accounts of Hamas’ leaders and other high-ranking officials.¹¹⁵ In terms of statebuilding, patrimonialism is problematic as a great deal of research indicates that wide-spread patrimonialism and patrimonial states all eventually lead to economic collapse due to the fact that they do not promote economic development.¹¹⁶

4.2 Hamas on Security Provision:

I will now examine how Hamas has developed Gaza’s security sector by gauging its actions towards maintaining a monopoly on the legitimate use of violence/force. These actions are measured by determining whether they are maintaining law and order, and whether Hamas has developed protective mechanisms in order to shield Gazans from external and internal threats.

Hamas has developed two security institutions within its political apparatus: *Al-Mujahideen al-Filastnun* and *Jehaz Aman*. The former is Hamas’

¹¹⁴ *Ibid*, 1.

¹¹⁵ *Supra*, Levitt, 68.

¹¹⁶ *Supra*, Budd, 139.

military branch, which procures arms and coordinates military violence and political demonstrations throughout the OT.¹¹⁷ The latter is the organization's security branch; it collects information on suspected collaborators, apprehends, interrogates, and executes individuals suspected of collaborating with the "Zionist enemy".¹¹⁸ In one instance, it was reported that Hamas killed an individual suspected of collaborating with its political rival Fatah; the individual was sliced into steaks that were later sent to his family.¹¹⁹ Hroub argues that Hamas' security institutions developed naturally from its perception that the liberation of Palestine can be achieved through acts of violence.¹²⁰

When speaking about the nature of Hamas' security branches, Sheikh Yassin indicated that they were only intended for defence and rescue operations.¹²¹ However, available evidence from September 2000 through March 2004 illustrates that this is not the case. During a period of roughly four years, Hamas' security branches conducted 52 suicide attacks, murdered 288 people and injured over 1,646 civilians.¹²² More recently, between 2005-2007, Hamas operatives in Gaza have launched some 1,500 Qassam rockets into Israel.¹²³ Hence, it seems reasonable to conclude that Hamas' security apparatus is not intended for 'defence' or 'rescue' operations.

¹¹⁷ *Supra*, Levitt, 10.

¹¹⁸ *Ibid.*

¹¹⁹ —. *Hamas Charter*. January 2009. <http://www.mideastweb.org/hamas.htm> (accessed March 19, 2011).

¹²⁰ *Supra*, Hroub, 242.

¹²¹ *Supra*, Levitt, 13.

¹²² *Ibid.*, 12.

¹²³ Schanzer, Jonathan, and Daniel Pipes. *Hamas vs. Fatah: The Struggle for Palestine*. New York: Palgrave Macmillan, 2008, 89.

Perhaps words like ‘rescue’ speak to the organization’s use of violence as a bargaining chip with the Israelis. Often, the organization heralds that it kidnaps Israeli soldiers and subsequently holds them ransom until Israel agrees to free captured operatives.¹²⁴ Currently, Hamas maintains a monopoly on the use of force in Gaza since it remains in military control of the territory, and has managed to remain the dominant form of political organization there since its military offensive conquered the Gaza Strip on June 13, 2007.¹²⁵

However, the legitimacy of Hamas’ monopoly of force is debatable. On the one hand, one could argue that Hamas’ monopoly of force stems from the available security forces at its disposal, including the police force it formed in 2006, and the fact that the Palestinian people elected the organization democratically.¹²⁶ On the other hand, Hamas’ monopoly is also a result of the actions taken by its security forces, as it hunted-down and eliminated members of the opposition after they refused to cooperate with the new Palestinian government for an entire year.¹²⁷

This involved the wilful killing of surrendered combatants, wounded Fatah members and civilians (who were known Fatah supporters) in hospitals, as well as the abduction and torture of other Fatah loyalists.¹²⁸ In this example Hamas’ military agents posed an internal security threat to the public. Since one of the

¹²⁴ *Supra*, Hroub, 249.

¹²⁵ *Supra*, Schanzer, 108.

¹²⁶ Palestine Center for Human Rights. *Black Pages in the Absence of Justice: Report on Bloody Fighting in the Gaza Strip from 7 to 14 June 2007*. Brief, Gaza City: Palestinian Center for Human Rights, 2007, 12.

¹²⁷ *Ibid*, 6.

¹²⁸ *Ibid*.

state's responsibilities is to protect citizens from internal and external threats, Hamas can be said to have failed in this regard. The specifics of how Hamas utilized its security forces follows below.

Hamas' electoral victory was immediately met with opposition from Fatah incumbents, resulting in violence in front of the Palestinian parliament building in Ramallah.¹²⁹ In an act of defiance, PA leader, Mahmoud Abbas ordered Gaza's police forces to remain at home in exchange for receiving their salaries.¹³⁰ Abbas' intention was to deny Hamas the power that it had earned at the ballot box.¹³¹ As a result, Palestinian police forces ceased following Hamas' directives.¹³² Tensions and violence proceeded to escalate and reverberated throughout the OT. On April 22, 2006, Hamas and Fatah student representatives at a university in Gaza threw stones and homemade grenades at each other, injuring at least 15 people.¹³³ Again, this is another example of how Hamas does not provide Gazans with security. In this instance, Hamas is the actor who poses an internal security threat to the Palestinians as well as other residents of Gaza.

As civil order in Gaza continued to deteriorate, Hamas created a new police agency comprised of its supporters.¹³⁴ An additional series of armed clashes continued between militants loyal to Fatah and the new police, adding to

¹²⁹ *Supra*, Schanzer, 98.

¹³⁰ *Supra*, Palestine Center for Human Rights, 11-13.

¹³¹ El-Khodary, Taghreed. *Life Under Hamas Rules*. Carnegie Endowment For International Peace. 14 November 2007. <http://www.carnegieendowment.org/arb/?fa=show&article=20698> (accessed September 4, 2010).

¹³² *Supra*, Schanzer, 99.

¹³³ Barzak, Ibrahim. "Fatah, Hamas Gunmen Clash in Gaza." *The Washington Post*, 23 April 2006.

¹³⁴ El-Khodary, Taghreed. "Hamas Police Force Recruits Women in Gaza." *The New York Times*, 18 January 2008.

the chaos in Gaza.¹³⁵ Eventually, Fatah's forces were weakened to the point where many of them fled the battlefield, while others opted to join the ranks of Hamas.¹³⁶ Since then, Gaza's streets are reported to be free of the "unpredictable gun battles that once made [them] so lethal".¹³⁷

Hamas militants have also attacked non-Muslim communities, announcing that its actions marked the "end of secularism...in Gaza".¹³⁸ In some cases, individuals have been arrested, detained, and tortured without charges for a period of months.¹³⁹ Weighing all this information, one can conclusively say that Hamas maintains a monopoly of force in Gaza, but it is not a legitimate monopoly of force because it is engaging in discriminate violence against non-Muslims, non-members, and because the relative stability in Gaza, as defined by the absence of civil violence, is reportedly due to the fact that Gazans fear reprisals from Hamas, leaving them "miserable and suffocated".¹⁴⁰

It is clear that Hamas possesses the resources and has the capacity to protect Gazans from external and internal threats; however, it is evident that it has opted not to do so. Therefore it is not a question of whether Hamas has the capacity to provide Gazans with effective security, but rather a question of whether the organization wants to. Arguably, if Hamas wanted to use its security

¹³⁵ *Supra*, Palestine Center for Human Rights, 13.

¹³⁶ *Supra*, Schanzer, 107.

¹³⁷ Colvin, Marie. "Defiant Hamas Rules by Fear in Isolated Gaza." *The Times*, 25 November 2007.

¹³⁸ *Supra*, Schanzer, 110.

¹³⁹ Toameh, Khaled Abu. "Hamis Detains Fatah Activist in Gaza." *The Jerusalem Post*, 3 July 2010;

and Toameh, Khaled Abu. "Hamis Detains PA's A-G Over Cover-Up." *The Jerusalem Post*, 16 August 2007; *Supra*, Schanzer, 113.

¹⁴⁰ Al-Naeimi, Saleh. "Hamis: A Lawless Authority." *Asharq Alawsat*, 25 August 2007.

forces to maintain social order and uphold the rule of law it could. One can thus conclude that Hamas is not providing security for the Palestinians in Gaza.

4.3 Hamas on Institutional Development

Since the electoral victory won Hamas 76 of the 132 seats in Palestinian elections, the organization has not demonstrated any indication that it is interested in forging an accountable government.¹⁴¹ To date, the organization has not created a centralized and transparent political system in Gaza, as it has traditionally been defined by formal, written legislation.¹⁴² To that end, reports indicate that Gazans have started “policing themselves, afraid of the consequences of stepping over a line not defined in formal law”.¹⁴³ The *de facto* Hamas government has engaged in a string of attacks against media outlets, peaceful demonstrators, and it has also participated in “the destruction, seizure, and robbery of governmental and non-governmental institutions.”¹⁴⁴

Hamas’ Charter speaks directly to the importance the organization places on institutions. Charter Articles 15-17 emphasize the pivotal role Islamic re-education has in uniting the Palestinians against the Jews/ Israelis.¹⁴⁵ However, the institutions that Hamas is concerned with are atypical for state-building projects. Unlike the types of institutions examined thus far, (i.e. economic and political ones), Hamas is developing religious, educational, and charitable institutions since all three facilitate the organization’s ability to engage in acts of

¹⁴¹ *Supra*, Schanzer, 95.

¹⁴² The Times. “Gaza’s Deadly Guardians.” *The Sunday Times*, 30 September 2007.

¹⁴³ *Ibid.*

¹⁴⁴ *Supra*, Palestine Center for Human Rights, 76-84.

¹⁴⁵ *Supra*, Maqdsi, *Article 15-17*.

terrorism. As mentioned earlier, Hamas has been able to create and sustain its institutions by establishing its Dawa wing.

4.3.1 Dawa as an Institution

Noting a shift in the meaning of “Dawa” in the 20th Century, The Oxford Islamic Studies website describes Dawa as a foundation for “social, economic, political, and cultural activities as well as domestic and foreign policy strategies”. Whereas according to Islamic literature, the Dawa has been described as a conversion process in which followers are called to become Muslims, Hamas contextualizes the Dawa within its organizational structure, naming its social welfare wing after this fundamental Islamic concept. The importance of the Dawa lies in the crucial role it plays in enabling Hamas to provide the Palestinians with public services, which in turn functions to indoctrinate them with radical Islamic values.¹⁴⁶ Hamas’ use of public services to insemminate values into the Palestinians’ minds is not a surprising tactic.

Research by Steven Van de Walle and Zoë Scott suggests that the development of a public services system is pivotal to successful state-building efforts.¹⁴⁷ Van de Walle and Scott argue that public services provisions (PSP) are extremely important because they “make the state visible to its citizens”, and in doing so render the state “tangible”.¹⁴⁸ The authors go on to say that: “States

¹⁴⁶ *Supra*, Levitt, 107-142.

¹⁴⁷ Van de Walle, Steven, and Zoe Scott. *The Role of Public Services in State-And Nation-Building: Exploring Lessons from European History for Fragile States*. Research Paper, International Development Department, University of Birmingham, The Governance and Social Development Resource Centre, 2009, 9.

¹⁴⁸ *Ibid.*

are shaped by images and practices...and public services contribute to the creation of these images and practices".¹⁴⁹ As the authors explain, PSP through institutions such as educational apparatuses contribute to the socialization of the population within their state by facilitating the population's development of values congruent to those of the state via three processes: penetration, standardization, and accommodation.¹⁵⁰

The first process, penetration, is implemented by public services that contribute to establishing visible state control, presence and authority.¹⁵¹ Samuel Edward Finer describes penetration as "the ability of the government to act directly upon the population...without going through intermediate local bigwigs".¹⁵² Penetration is often geared towards inducing populations to recognize/ accept the state's monopoly on the legitimate use of force.¹⁵³ Examples of Hamas penetration of Palestinian society are the Hamas funded schools, the hospitals, and the summer camps sponsored by the organization. These institutions are utilized by the organization to insemminate its radical Islamic values onto the Palestinians.

Interviews with captured Hamas operatives reveal the largely informal nature of the organization's Islamic radicalization and recruitment process. Only 15% of interviewees reported that they were recruited via formal mechanisms, such as a swearing of allegiance or a probationary period, whereas the majority

¹⁴⁹ *Ibid.*

¹⁵⁰ *Ibid.*

¹⁵¹ *Ibid.*

¹⁵² Finer, Samuel Edward. *The History of Government from the Earliest Times: Empires, Monarchies and the Modern State*. Vol. III. Oxford: Oxford University Press, 1999, 1611.

¹⁵³ *Supra*. Van de Walle.

of the interviewees were recruited via informal mechanisms, such as their involvement with community youth groups and their attendance in Hamas-controlled mosques.¹⁵⁴ Further, Hamas' presence in the aforementioned institutions is visible to such an extent that the Palestinians are fully aware of who is responsible for funding the public services they are utilizing.

The second process, standardization, is exercised via public services that contribute to the creation of a common culture through the presence of similar and readily identifiable public services.¹⁵⁵ Public services include the creation of identification documents (i.e. passports), administrative procedures such as the classification of citizen groups and integrated educational curricula in schools.¹⁵⁶ According to Fred. W. Riggs, this is the locale where the state creates a nation, as standardization attempts to build moral unity among the citizenry.¹⁵⁷

Benedict Anderson describes standardization as the process undertaken by the state to build an "imagined community" through its provision of public services.¹⁵⁸ In Anderson's imagined community, imagery is manufactured and nourished as a means of communicating a package of ideals to a particular group.¹⁵⁹ In the context of Hamas' PSP, the package of ideals that is communicated to the Palestinians is one of radical Islamic values. This is evident in Gaza's libraries, which routinely sell videocassettes of racial sermons

¹⁵⁴ Post, Jerrold M., *et al.* "The Terrorists in Their Own Words: Interviews with 35 Incarcerated Middle Eastern Terrorists." *Terrorism and Political Violence* 15.1(2003): 173.

¹⁵⁵ *Supra*, Van de Walle, 11.

¹⁵⁶ *Ibid.*

¹⁵⁷ Riggs, Fred W. "Modernity and Bureaucracy." *Public Administration Review* 57.4 (1997): 351

¹⁵⁸ *Supra*, Anderson, 114.

¹⁵⁹ *Ibid.*

featuring anti-Semitic themes and explicit calls for terrorist action against Israel.¹⁶⁰ Additional evidence of how Hamas is manufacturing a package of radicalized Muslim ideals in Gaza is also visible in mosques where it holds meetings to coordinate its military activities against Israel.¹⁶¹

The third and final process involved in creating the bond between the state and its population is called accommodation. Accommodation binds “critical elements of the population to the state” and safeguards against the development of competing centres of power within the state.¹⁶² This process adds a less quasi-coercive aspect to the previous two processes, but sometimes can also act as a counterbalance.¹⁶³ In this sense, public services are instruments for dispute resolution and settlement, but also have the potential to operate as mechanisms creating political loyalty between the sovereign and his or her citizens.¹⁶⁴ In its most basic sense, accommodation occurs when states attempt to ‘buy loyalty’ through the roles played by their public services such as judicial system in developing a sense of common identity.¹⁶⁵

The process of accommodation is the state’s safeguard against the development of competing centres of power within the state’s territory.¹⁶⁶ When states create mechanisms for dispute resolution, they provide their citizens with an institutionalized venue to air grievances. Since the citizenry will use the

¹⁶⁰ *Supra*, Levitt, 98.

¹⁶¹ *Ibid*, 101.

¹⁶² *Supra*, Van de Walle, 10.

¹⁶³ *Ibid*, 11.

¹⁶⁴ *Ibid*.

¹⁶⁵ *Ibid*, 12-13.

¹⁶⁶ *Ibid*, 12.

formal institutions established by the state to resolve and manage conflict, participation in the state apparatuses builds and reinforces loyalty. In turn, participation consolidates the state's legitimacy of governance. Hamas' efforts to buy loyalty include the distribution of food in Gaza, as well as the healthcare and educational apparatuses the organization operates and continues to sustain.

The processes of penetration, standardization, and accommodation contribute to strengthening the sense of community of a nation. In turn, these processes create and sustain what one might call a dynamic interdependency between the state and the population. In this sense, the state (the provider of PSP) develops a relationship with the population (the recipients of PSP). The state then uses PSP to legitimize governance over its citizens. As the state gains legitimacy through the PSP, it is able to maintain and secure governance with a monopoly of force.

4.3.2 Educational Institutions

“In the Islamist society idealized by Hamas, the martyr is the most revered citizen”- Matt Levitt¹⁶⁷

In this section, I present evidence that demonstrates Hamas' attempts to establish educational institutions are only intended to instill radical Islamic values onto students. These institutions do not inculcate literacy and knowledge that would lead Gaza's citizens to the level of civic engagement required for

¹⁶⁷ *Supra*, Levitt, 110.

constructive engagement with governmental institutions to encourage legitimate state-building.

Khaled Hroub attests that religious and educational institutions are mechanisms Hamas utilizes to create “social solidarity and prepare society as a whole to resist the occupation”.¹⁶⁸ Further, he indicates that the push to create Palestinian Islamic solidarity is crucial in order to instill religious values extolling “sacrifice and martyrdom”.¹⁶⁹ This of course suggests that Hamas’ institutions, by design, are not meant to limit the activities of the organization’s leadership, nor to promote economic growth (as the state-building literature suggests they should); but rather, are intended to indoctrinate the Palestinians towards religious radicalism. We will now examine the components of Hamas’ educational institutions and the role the Dawa plays in Hamas’ institutional development.

Hamas administers a number of educational institutions throughout the Gaza Strip. These educational institutions allow the organization to instill attendants with radicalized religious values. It is a didactic process, as is the indoctrination of any ideology.¹⁷⁰ Enrolled Palestinian children are taught in the language of radical Islam, schooled in its rationalizations, and instructed its supreme virtue.¹⁷¹ To illustrate this point, consider the details of a graduation ceremony of 1,650 children held in 2001 by the Islamic Society (*al-Jamiya al-Islamiya*) in Gaza:

¹⁶⁸ *Supra*, Hroub, 238.

¹⁶⁹ *Ibid*, 238-239.

¹⁷⁰ *Supra*, Levitt, 124.

¹⁷¹ *Ibid*.

The ceremony reportedly began with a recitation of Quranic verses and was followed by an oath to pursue jihad.¹⁷² Afterward, individual kindergarten classes put on performances for their audience. In one instance, a group of pre-school children presented a play highlighting the dangers of “Zionist settlement”; a second pertained to the “obligation to avenge the blood of the *shuhada* [martyrs] and pursue resistance and Intifada”¹⁷³ A third Palestinian class was divided into groups named after martyrs, killed during the Intifada, and read excerpts from Hamas affiliates.¹⁷⁴ Famed Hamas activist, Ibrahim Abd al-Fatah explains the role educational institutions play in the radicalization of Palestinian children with their ability to “instill the pupils with Hamas values, and their graduates include operational Hamas activists”.¹⁷⁵

Higher educational institutions are also impacted by Hamas propaganda. A typical ‘student kit’ distributed by the Islamic Bloc is equipped with pictures of Sheikh Yassin, and an inscription of his wish that God “allow us to die with [the] honor [reserved for] whoever fights in a holy war [mujiḥad]”.¹⁷⁶ Universities are decorated with banners and pictures of Hamas leaders such as Yassin.¹⁷⁷ An inspection of student societies in Gaza also illustrates the extent to which Hamas has radically influenced the Palestinian education system.

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

¹⁷⁴ *Ibid.*

¹⁷⁵ *Ibid.*, 125.

¹⁷⁶ *Ibid.*, 128; Meir Amit Intelligence and Terrorism Information Center. *Incitement to Terror and Hatred: Extremist Islamic Messages Encouraging Hatred, Violence and Terror Against Israel are Inculcated Into High School Students in Bethlehem and Other Parts of the Palestinian Authority-Administered Territories by the Hamas Civilian Infrastructure (the da’wah)*. June 2003. http://www.terrorism-info.org.il/malam_multimedia/html/final/eng/var/h_sch/hs_inc.htm (accessed March 18, 2011).

¹⁷⁷ *Ibid.*, Levitt, 128.

An article published in *Filisteen al-Muslima* indicates that members of Hamas dominate the student council at Bir Zeit University.¹⁷⁸ The article claims that Hamas joined the council's activities "in order to prepare the hearts and minds of students to adhere to the right [sic] form of Islam".¹⁷⁹ Later, in 2003, during student elections, Hamas candidates re-enacted suicide bombings by blowing up models of Israeli buses.¹⁸⁰ They did this while wearing replicas of Qassam rockets on their shoulders.¹⁸¹ Then, during electoral debates, one Hamas candidate taunted his Fatah challenger by boasting: "Hamas activists in this university killed 135 Zionists. How many did Fatah activists from Bir Zeit kill?"¹⁸²

A compiled list of graduates from Bir Zeit records that at least seven Palestinian suicide bombers received their education there.¹⁸³ An inventory of jailed Palestinian terrorists also reveals that almost 50% of them cite mosques and other religious institutions as central to their enlistment into terrorist organizations, with about 20% citing their experiences at university as primary influences in their decision to enlist in the service of terrorists.¹⁸⁴

¹⁷⁸ *Ibid*, 96.

¹⁷⁹ *Ibid*.

¹⁸⁰ *Ibid*, 128.

¹⁸¹ *Ibid*.

¹⁸² Toameh, Khaled Abu. "Hamas Wins Student Election Race on Israeli Bodycount Ticket." *The Jerusalem Post*, 11 December 2003.

¹⁸³ *Supra*, Levitt, 128-129.

¹⁸⁴ *Ibid*, 83; *Supra*, Post, 173.

4.3.3 Religious Institutions

Hamas uses mosques to spread its message of the jihad and to interact with Palestinians in Gaza. According to Palestinian scholar Ziad Abu-Amr, Hamas' use of mosques was refined during the first Intifada when "Hamas used the mosque as a platform and turned it from a place of worship into a center of learning, and later on a place for political organization".¹⁸⁵ Abu-Amr's statement reflects the findings of Palestinian intelligence officials who acknowledge that Hamas uses mosques, universities, and student organizations as a place to recruit operational activists, including suicide terrorists.¹⁸⁶

An example of the above can be observed by looking to Sheikh Ibrahim Mudeiras' famous sermons from the Sheikh Ajlin mosque (located in the Gaza Strip).¹⁸⁷ Like many other radical Islamic sermons in Gaza, Mudeiras' are often broadcast live on Palestinian television.¹⁸⁸ Excerpts from his sermons include messages such as: "rise up against the Jews and their allies...Oh Allah, cleanse al-Aqsa from Jewish pollution", "the resurrection will not take place until the Muslims fight the Jews, and the Muslims kill them. The Muslims will kill the Jews, rejoice in Allah's victory!" ,and finally: "the Jews are a cancer spreading in the body of the Arab nation and the Islamic nation, a cancer that has spread and

¹⁸⁵ Abu-Amr, Ziad. *Islamic Fundamentalism in the West Bank and Gaza: Muslim Brotherhood and Islamic Jihad*. Bloomington: Indiana University Press, 1994, 15, 77.

¹⁸⁶ Meir Amit Intelligence and Terrorism Information Center. *Background Information about Hamas's Terrorism-Funding Apparatus and Its Civilian Infrastructure*. March 2005. http://www.terrorism-info.org.il/malam_multimedia/html/final/eng/sib/4_05/cbsp_e.htm (accessed June 24, 2010).

¹⁸⁷ Stalinsky, Steven. *Palestinian Authority Sermons 2000-2003*. 26 December 2003. <http://www.memri.org/report/en/0/0/0/0/0/1027.htm> (accessed January 14, 2011).

¹⁸⁸ *Ibid*; *Supra*, Levitt, 134.

reached...villages and the refugee camps”.¹⁸⁹ Religious institutions such as mosques serve Hamas as excellent venues from which it can convey its political agenda.

Hamas’ presence in Gazan mosques is well documented.¹⁹⁰ This presence is evident on the many bulletin boards and walls containing posters and pamphlets idolizing suicide bombers.¹⁹¹ In one example, Israeli security forces found posters on the front door of a mosque commemorating Hamas suicide bomber Ramez Fahmi Izz al-Dina Salim, the individual who detonated his suicide belt at a Jerusalem café on September 9, 2003.¹⁹² Salim killed seven people and wounded more than 50 others.¹⁹³ It makes sense that Hamas has developed a formidable presence in Gazan mosques. After all, the organization’s politics appear to be bent on rallying the Palestinians towards Islamic radicalism.

4.3.4 Healthcare Institutions

Hamas’ visible presence in Gaza’s healthcare system is also well documented.¹⁹⁴ However, the purpose of this presence has little to do with promoting effective state-building practices. Consider the following examples. In

¹⁸⁹ *Ibid.*

¹⁹⁰ *Supra*, Stalinsky.

¹⁹¹ *Supra*, Levitt, 135.

¹⁹² *Ibid.*

¹⁹³ *Ibid.*

¹⁹⁴ Gedalyahu, Tzvi Ben. *Dr. Hamas: Hospitals as Military Bases*. Hudson New York. 2 January 2009. <http://www.hudson-ny.org/195/dr-hamas-hospitals-as-military-bases> (accessed March 19, 2010); Katz, Yaakov. “10 Gazan hospitals used by Hamas in Cast Lead.” *The Jerusalem Post*, 15 March 2010; —. *Hamas and Its Discontents*. Newsweek. 2 January 2009. <http://www.newsweek.com/2009/01/19/hamas-and-its-discontents.html> (accessed March 19, 2010); Kalman, Matthew and Helen Kennedy. *Israel Threatens Gaza with “Iron Fist” as Hamas Rejects Truce*. New York Daily News. 12 January 2009. http://articles.nydailynews.com/2009-01-12/news/17914484_1_hamas-leader-ismail-haniyeh-gaza-city-shifa-hospital (accessed March 19, 2010).

one case, Hamas recruited Dr. Mustafa Amjad from the al-Razi Hospital in Jenin. Amjad took advantage of his freedom of movement and smuggled Hamas suicide bombers into Israel.¹⁹⁵ After his arrest, Amjad confessed to helping Hamas terrorists enter Israel while delivering medicines.¹⁹⁶ Hamas' presence in hospitals allows the organization to transport its agents and weapons via ambulances in and outside of the Occupied Territories.

Nidal Nazal, a Palestinian Red Crescent ambulance driver, transferred weapons and messages in his ambulance from one Hamas cell to another across the West Bank.¹⁹⁷ In another case, a hospital chemist by the name of Rashed Tarek al-Nimr was recruited to procure chemicals for Hamas bomb making. Over a period of several months, Nimr furnished Hamas with six containers of hydrogen peroxide, a necessary ingredient in the production of explosive devices favored by Hamas.¹⁹⁸

In yet another case, Israeli forces discovered hidden weapons concealed in the floor of a Red Crescent ambulance.¹⁹⁹ By examining Hamas' involvement in the Palestinian healthcare system in Gaza, one can say, with a fair degree of certainty, that its involvement appears to have more to do with facilitating terrorism than state-building.

¹⁹⁵ *Supra*, Levitt, 99.

¹⁹⁶ *Ibid.*

¹⁹⁷ *Ibid.*, 100.

¹⁹⁸ *Ibid.*, 98.

¹⁹⁹ Israel Ministry of Foreign Affairs. *Terrorist Misuse of Medical Services to Further Terrorist Activity*. 26 August 2002. http://www.mfa.gov.il/MFA/MFAArchive/2000_2009/2002/8/Terrorist%20Misuse%20of%20Medical%20Services%20to%20Further%20Te (accessed August 25, 2010).

4.4 Hamas on Economic Development

In order to determine whether or not Hamas is engaged in economic policies that will benefit Gaza's economy, I examine the impact of its policies on the Palestinian economy. This examination is achieved by establishing the differences (if any) between Gaza's economy before and after Hamas won the January 2006 election.²⁰⁰ This timeline is an appropriate choice in view of the fact that, once Hamas took over the political control of Gaza, it has been the sole political authority with the judicial capacity to alter all economic policies and government apparatuses. Problematically, International Financial Institutions point to the lack of reliable economic data in the OT.²⁰¹ If their assertions are accurate, it could potentially limit my findings.

World Bank statistics from the previous year diagnosed the operational capacity of the Palestinian economy as "well below its potential".²⁰² The report indicated a high unemployment rate in Gaza to that effect, measuring it at 29% overall.²⁰³ Likewise, the unemployment rate in refugee camps during this period was found above 60%.²⁰⁴ Not surprisingly, 43% of all Palestinians were also classified to be living below the poverty line, with an estimated 15% living in

²⁰⁰ Taking statistics from the pre-2000 and comparing them to statistics in the post 2006 period would create inaccurate data. In order to avoid this dilemma, statistics are all drawn after the outbreak of the 2000 Intifada, as Israeli security closures from this time forth were a primary contributor to the low levels of GDP in the Occupied Territories from 2000-onward.

²⁰¹ International Monetary Fund and The World Bank. *West Bank and Gaza: Economic Developments in 2006- A First Assessment*. Washington: International Monetary Fund and The World Bank, 2007, 2.

²⁰² International Monetary Fund and The World Bank. *The Palestinian Economy and the Prospects for its Recovery*. Economic Monitoring Report, Washington: International Monetary Fund and The World Bank, 2005, 6.

²⁰³ *Ibid.*

²⁰⁴ *Ibid.*

'deep poverty'.²⁰⁵ These factors contributed to a low Real Gross Domestic Product (rGDP) of 6.0% in OT during 2005- a 0.2% increase since 2003.²⁰⁶

Economic indicators illustrate that the Palestinian economy in Gaza was not particularly strong before Hamas came to power. Therefore, if economic indicators taken from the post-Hamas victory period reveal an even weaker economy it is reasonable to conclude that the organization was, in all likelihood, not the sole culprit behind the current status of the Palestinian economy. It is important to mention here that Hamas' political stance towards recognizing Israel as a legitimate state is partly responsible for the economic decline after its 2006 victory. In 2008 unemployment in Gaza was estimated at over 40%, compared to 19% in the West Bank, marking significant increases from the previous year of 30% and 18% respectively.²⁰⁷ Additional statistics taken from the post Hamas-victory show that rGDP in the OT fell by 8%, a decline of almost forty percent from 1999.²⁰⁸ This drop resulted from Israel's decision to withhold taxes it collected on behalf of the PA after Hamas came to power.²⁰⁹ It is no secret that Israel did not approve of Hamas' democratic victory.

In the eyes of the Israelis, Hamas is a known terrorist group responsible for numerous suicide bombings inside Israel. A Palestinian government run by Hamas, an organization bent on the destruction of the Israeli state, would mean

²⁰⁵ *Ibid.*

²⁰⁶ *Ibid.*, 8; Note: many statistics remain unavailable. Since available statistics for the OT are measured collectively, individual statistics on Gaza could not be located at the time of writing.

²⁰⁷ The World Bank. *Palestinian Economic Prospects: Gaza Recovery and West Bank Revival*. Economic Monitoring Report, Washington: The World Bank, 2009, 8.

²⁰⁸ *Supra*, International Monetary Fund and The World Bank (2005), 8.

²⁰⁹ *Supra*, Palestine Center for Human Rights, 11.

that Israel would be financing the very individuals who are actively promoting terrorism if the Israelis had opted to continue collecting tax revenues on behalf of the Palestinian government.

The Israeli government decided to maintain economic pressure on Hamas by imposing hardships on the Palestinians to encourage them to oust Hamas, and also to secure the release of Gilad Shalit, an Israeli soldier kidnapped and subsequently held by Hamas since June 2006.²¹⁰ Such hardships include closure policies that isolated those in Gaza.²¹¹ These closure policies also contributed to the economic decline that followed in the OT because Gazans could no longer access world markets to buy and sell goods.²¹² Hence, Hamas' refusal to release Shalit can be said to have contributed, at least in part, to the continued decline of Gaza's economic growth after closure policies were enacted.

The World Bank estimates that Gaza's isolation led to an increase in inflation, causing real wealth and incomes to erode.²¹³ In 2008, rGDP growth was estimated at two percent, and per capita income at "just over US\$1,000".²¹⁴ Limited as this growth was, it only occurred in the West Bank.²¹⁵ In fact, noticeable divergences occurred between the economies of the West Bank and Gaza after Hamas took over. The information available calculates

²¹⁰ *Supra*, The World Bank (2009), 22.

²¹¹ Bennett, Messrs A. *et al.* *West Bank and Gaza: Economic Performance and Reform Under Conflict Conditions*. Economic Monitoring Report, Washington: The International Monetary Fund, September 15, 2003, 69.

²¹² *Ibid.*

²¹³ *Supra*, World Bank 2009, 9.

²¹⁴ *Ibid.*

²¹⁵ *Ibid.*

unemployment in Gaza at 40% in 2008, whereas it was 19% in the West Bank.²¹⁶ This marks a difference of 21% between Gaza's unemployment rates in 2005.

Presently, no accurate information exists on Gaza's rGDP, rendering a comparison of the 2005 to 2008 rates impossible.²¹⁷ It is therefore difficult to conclusively determine whether or not Hamas is supporting the development of Gaza's economy. The information, though limited, illustrates a decrease in the Gazan economy since Hamas came to power, but this may be the result of Israeli sanctions and not necessarily solely a result of Hamas' economic policies. To this date, Hamas has never made any official policy regarding its plans for the Palestinian economy.

Although Hamas has not made any visible efforts to create economic policies, it is important to examine how the organization funds its Dawa, and subsequently how all its operations are funded. The evidence suggests that: 1) there is no economic policy, and 2) Gaza is experiencing an economic decline (as defined by a reduction of rGDP and a rise in unemployment). Hamas funds its Dawa through an intricate system of charitable networks and fraudulent activities, with the remaining funding coming directly from Iran.²¹⁸

An Israeli intelligence officials estimate \$25-30 million a year is raised by charities who have direct ties with Hamas.²¹⁹ An FBI report also reveals that the *Holy Land Foundation for Relief and Development* charity funded a large portion

²¹⁶ *Ibid*, 10.

²¹⁷ The World Bank combines rGDP of the West Bank and Gaza because there is no reliable data that specifically pertains to Gaza.

²¹⁸ *Supra*, Levitt, 171.

²¹⁹ *Ibid*, 56-57.

of Hamas' educational apparatus in Gaza.²²⁰ Documents seized by Israeli forces in Gaza reveal similar allocations of funds issued to Hamas. In one instance, a charity dispersed \$4,990 in financial aid to Hamas martyrs and other wounded operatives, while \$17,275 went towards compensating imprisoned Hamas operatives.²²¹ Levitt's book documents the long list of charities that fund Hamas.²²² I will now present evidence indicating the financial support Hamas receives directly from the Iranian government.

According to expert testimony in *Susan Weinstein et al. v. The Islamic Republic of Iran et al.* "...Iran gave the organization at least \$25-50 million in 1995 and 1996, and also provided other groups with tens of millions of dollars to engage in terrorist activities...Iran gave...Hamas...between \$100 and \$200 million per year during this period."²²³ Intelligence agencies in Israel, Britain, and Canada all report that Iran provides Hamas with money, training camps, and logistical support.²²⁴ Documents discovered by the PA support the findings of the aforementioned intelligence agencies. One document in particular cites a transfer of \$35 million to Hamas from the Iranian Intelligence Service (MOIS).²²⁵

This section has presented strong evidence demonstrating the power of Hamas' financial network pointing to its ability to fund its operations without a defined taxation network or a solidified economic policy. If this is true, it stands to reason that perhaps one of the reasons behind the lack of Hamas' economic

²²⁰ *Ibid*, 57.

²²¹ *Ibid*, 57-58.

²²² *Ibid*, 143-170.

²²³ *Ibid*, 172.

²²⁴ *Ibid*.

²²⁵ *Ibid*.

policies or economic plans for Gaza's future lies in the fact that the organization has never sought financial support from the Gazan population since the organization relies on external sources of funding. Such economic strategies impede state-building, for as we have seen, economic development must be a self-sustaining process in an environment supported by functional institutions, which are in turn balanced by strong regulatory policies. Neither of the aforementioned features exists in Gaza.

5: CONCLUSION

Hamas is the political/social entity responsible for erecting many of the new Palestinian institutions in Gaza. Hamas was also the political victor in the most recent Palestinian elections of January 26, 2006.²²⁶ The organization has since been engaged in a variety of quasi state-like activities. For instance, it provides humanitarian relief and has constructed a variety of Palestinian institutions inside of the Gaza Strip. This project has identified the limits of the organization's state-building project by investigating four dimensions of state-building. Evidence presented through this investigation indicates that, while some elements of state-building initiatives implemented in Gaza appear to be successful, others are not.

This project determined that Hamas is currently engaged in nation-building. The organization is employing its PSP in order to create a new Palestinian ethos for Gazans by indoctrinating them in the ways of radical Islam. In fact, Hamas' nation-building efforts are likely to become more successful the longer the Islamists stay in control of Gaza. The evidence presented suggests Palestinians are becoming increasingly aware of the potential benefits accrued to them through Hamas' patrimonialism, should they decide to enlist with Hamas. As such, we can expect Hamas' ongoing recruitment efforts to continue being fruitful.

²²⁶ *Supra*, Schanzer, 94.

The second dimension of state-building examined was the provision of security. My findings suggest that Hamas is not providing security effectively. This is largely due to the fact that Hamas' security wings are not accountable and often pose an internal security threat to Gazans. Instead, Hamas' security apparatus appears to be used for the purposes of 'regime survival' rather than maintaining a monopoly on the 'legitimate' use of force in Gaza. Consequently, many Gazans perceive the above use of force as an illegitimate one. The public's perception stems from the fact that Hamas militias are used to intimidating and violating the human rights of anyone the organization perceives to be a threat to its goals or to Islam.

The third dimension of state-building examined was that of institutional development. The research conducted by this project demonstrates that the institutions Hamas maintains do not encourage political stability or economic development. The institutions built by Hamas appear to have a singular purpose, and that is to serve as a mechanism to indoctrinate the Palestinians towards Islamic radicalism. Hamas uses its institutions to deliver a series of public services to the Gazan population much in the same way that most other governments do. However, as the organization continues to 'buy loyalty' from the local population, higher numbers of Palestinians risk becoming indoctrinated with radical Islamic values simply because they live in deplorable conditions and require many of the services Hamas provides. To that end, since Hamas affiliates receive more advantages than non-affiliates, the desire to join Hamas may be more appealing than not joining. If higher proportions of the Palestinian

population become radicalized, it stands to reason that we can expect more outbreaks of violence to occur between Hamas operatives and the Israelis.

The final dimension of state-building examined was economic development. It is difficult to determine whether or not Hamas is engaged in effective economic development without the ability to examine more data. As mentioned earlier, international sources indicate the lack of reliable economic data on the OT. While there is more information on the status of the West Bank's economy, this cannot be used to gauge the economic situation in Gaza. Additionally, one cannot exclude the possibility that Israel's economic sanctions and closure policies have had more of a negative impact on Gaza's economy than (the lack of) Hamas' policies/activities in this regard. As a result, Hamas' effectiveness in this particular dimension of state-building remains ambiguous at best.

In summation, and based on all the evidence gathered to this point, one can say, with a fair degree of certainty, that Hamas is not currently engaged in effective state-building since the only dimension of state-building it has successfully attended to has been nation-building. If Hamas desires to further its state-building efforts in Gaza it must: a) provide security in a more holistic and effective manner, b) develop strong institutions and regulatory policies that hold all individuals (including those affiliated with Hamas) accountable to the general public, and c) develop economic policies that will galvanize a process of self-sustaining growth. Hamas cannot continue to engage in patrimonialism, nor can it continue to rely solely on external sources of funding for its operations. Such

reliance is haphazard at best in light of the fact that external sources of financial support can cease at any moment. If that moment were to arrive, it is unlikely that Hamas would survive it since it lacks the economic infrastructure to support its operations from within Gaza (i.e. through a formal taxation system).

Israel is also unlikely to support the development of a sovereign Palestinian state that calls for its destruction. The same can be said for any state. Israel's recognition of Palestinian sovereignty will be pivotal to the establishment of any future Palestinian state in Gaza since the two countries would share a border. Without sovereign recognition, it is unlikely that either country would feel secure from the other country's military. Such sense of insecurity can only bring more aggression to this already violent conflict. To contemplate all the evidence presented in this manuscript to determine whether or not Hamas is an effective state-builder, one must take to heart Gary L. Ackerman's assertion when he said to the U.S. House of Representatives: "Hamas exists not to create a state, but to destroy one".²²⁷

²²⁷ U.S. House. Committee on Financial Services. *The Hamas Asset Freeze and Other Government Efforts to Stop Terrorist Funding*. Hearing, 24 September 2003. Washington: Government Printing Office, 2003.

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