# THE NECESSITY OF INCLUDING HAMAS IN ANY FUTURE PEACE PROCESS AND THE VIABILITY OF DOING SO: AN ARGUMENT FOR REASSESSMENT AND ENGAGEMENT

by

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#### **ABSTRACT**

In January 2006, Hamas was victorious in the elections for the Palestinian Legislative Council. This development was met with consternation from the government of Israel, many western governments, and the United States government in particular. The Quartet on the Middle East, comprised of the United States, the European Union, Russia, and the United Nations, viewed Hamas' electoral victory through the lens of terrorism and took a correspondingly hard line, issuing an ultimatum and imposing sanctions for non-compliance. The Quartet's strategy towards Hamas indicates that they consider the movement to be what Stedman terms a 'total spoiler'—an ideological rigid organization that sees the world in all-or-nothing terms and consequently cannot be included in a successful peace process.

In this paper, I argue that the assessment of Hamas as a total spoiler is erroneous, and in fact, the designation 'limited spoiler,' as defined by Stedman is actually more appropriate.

This paper is submitted in loving memory of Farida Mohammed, an angel taken too soon – <i>Bismillah ir-Rahman ir-Rahim</i> .
And dedicated to Rondalyn Fitz, for inadvertently starting me down this path.

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#### 1: INTRODUCTION

In mid-2005, *Harakat al-Muqawamah al-Islamiyyah* (Islamic Resistance Movement), or Hamas, as it is more commonly referred, announced its intention to participate in the upcoming elections for the Palestinian Legislative Council (PLC) scheduled for January 2006. What happened next is seen as a "watershed in Palestinian politics: Hamas obtained 42.9% of the votes and won 74 of 132 seats in the new parliament" (Knudsen and Ezbidi, 2007: 190). The victory, in what is widely considered the "freest and fairest democratic legislative elections" to have been held in the Middle East (Hasson, 2010: 398; Milton-Edwards, 2007: 302), made Hamas the duly elected ruling party in the Gaza strip, effectively ending the political hegemony of the Palestinian Liberation Organization (PLO), and positioning Hamas alongside Fatah as a major player in Palestinian politics.

Following this development, it is impossible to conceive of a successful peace process between Israel and Palestine that does not take Hamas into account. Its competency as a spoiler was affirmed by Hamas' successful efforts to subvert the Oslo Accords and has been enhanced by its ascendance to ruling political power in Gaza. Despite its legitimate electoral success, Israel has steadfastly refused to acknowledge Hamas as a bona fide political party, choosing instead to characterize them simply as a dogmatic terrorist organization. Israeli Prime Minister Benjamin Netanyahu's recent description of

one of Hamas' leaders as "...rooted in an extremist theology which fundamentally opposes peace and reconciliation" (Solomon and Barnes-Dacey, 2009: A.10), typifies the Israeli government's position on the organization as a whole. "For the past decade, Israel's policy vis-à-vis Hamas has been one of hard-line rejection and targeted assassinations of leaders and cadres" (Knudsen and Ezbidi, 2007: 197).

In spite of Hamas' foray into democratic politics, Israel's policy has remained consistent, manifesting itself most recently in the alleged killing of Hamas commander Mahmoud al-Mabouh in Dubai (UK Police in Israel to Probe Use of Fake Passports, 2010). The Israeli government has also repeatedly claimed it has no "credible 'partner' in the peace process" (Knudsen and Ezbidi, 2007: 195), though this claim seems dubious given their ostensible unwillingness to even consider Hamas as a potentially willing partner in political negotiations. Israeli government policy towards Hamas is premised on their assumption that it is an ideologically inflexible organization that is diametrically opposed to the peace process and the continued existence of Israel. This type of characterization is what American academic Stephen John Stedman has termed a "total spoiler" (Stedman, 1997: 10). This paper will challenge the categorization of Hamas as a total spoiler and their consequent exclusion from a potential peace process. Thus, this paper seeks to answer: Is Hamas an ideologically rigid total spoiler or an ideologically flexible limited spoiler, whose trend of moderation can be further encouraged through engagement and inclusiveness, to become a potentially vital partner in the Middle East peace process?

This paper will posit that, contrary to popular sentiment Hamas is in fact a pragmatic, rational actor that has been showing increasingly moderate behaviour, particularly since 2005 when it decided to contest the 2006 PLC elections. Furthermore, this paper will put forward an argument that this trend of moderation should be encouraged and perhaps can be enhanced through engagement and inclusiveness, premised on the theory "...that participation in democratic institutions and processes can turn extremists into moderates" (Berman, 2008: 5). To properly assess what spoiler type best describes Hamas and what policy prescriptions this elicits one must be equipped with a full understanding of the spoiler typology developed by Stedman in his seminal work Spoiler Problems in Peace Processes. To that end, the first section of this paper will comprise an in-depth summary and examination of Stedman's work on spoilers to begin to develop a sketch of the traits of Hamas that are relevant to how they could be expected to behave in relation to a peace process. This will raise the conflict between Hamas' actions, which appear to be the result of pragmatic cost-benefit analysis, versus its rhetorical religiosity, particularly that of its founding charter for which they are so frequently judged. Once a basic understanding of Stedman's spoiler typology is established, the paper will proceed on to a second section that will examine Islamist political parties, particularly the Wasat Party of Egypt.

Like Hamas, the *Wasat* party has evolved out of Egypt's Muslim

Brotherhood (MB), and thus is good case study to evaluate whether Islamist parties are inherently ideologically rigid, or if they are ideologically flexible actors

capable of the level of pragmatic decision making necessary to function in a democratic system. These first two sections will provide the necessary foundational knowledge for the ensuing case study of Hamas. This third section will closely examine Hamas, from its prehistory and roots in the Muslim Brotherhood (MB) to its inception in the first Intifada to its foray into democratic politics. The final section will assess, in light of the preceding discussions on spoiler typology and Islamist party characteristics, whether or not the prevailing assessment of Hamas is accurate or if in fact its misappraisal is hurting the chances of a meaningful Israeli-Palestinian peace process. In this paper, I will argue that the conventional wisdom of Hamas as a total spoiler is based on a misappraisal of Islamists as inherently inflexible. Furthermore, I will argue that Hamas, through a lengthy process of political learning has become quite pragmatic and responsive to the collective will of the Palestinian people. Lastly, I will argue that the mischaracterization of Hamas as a total spoiler has led to the application of inappropriate spoiler management strategies by the US-led Quartet and therefore an immediate reassessment is necessary for any future Israeli-Palestinian peace process to have a chance of success.

### 1.1 The Typology of Spoilers

Stephen John Stedman has written quite extensively on the difficulties of contemporary peacemaking and conflict resolution. In his oft-cited article "Spoiler Problems in Peace Processes," Stedman observes that peacemaking is a tricky enterprise, with "the greatest source of risk com[ing] from spoilers –

leaders and parties who believe that peace emerging from negotiations threatens their power, worldview, and interests, and use violence to undermine attempts to achieve it. By signing a peace agreement, leaders put themselves at risk from adversaries who may take advantage of a settlement, from disgruntled followers who see peace as a betrayal of key values, and from excluded parties who seek either to alter the process or to destroy it" (1997: 5). This analysis was clearly borne out in the months that followed the signing of the 1993 Oslo Accords. Hamas was an excluded actor that opposed the signing of the accord by the Palestinian Liberation Organization (PLO) and sought to undermine the process and the PLO itself through protests and acts of violence (Gunning, 2007: 46). Additionally, Israeli Prime Minister, Yitzhak Rabin was assassinated by right-wing Israeli radical Yigal Amir who disapproved of the agreement (Halkin, 2006: 46). Fortunately, spoilers are not always successful in scuttling peace agreements. According to Stedman, the difference between spoiler success and failure is proper management by international actors (1997:6). "Where international custodians have created and implemented coherent, effective strategies for protecting peace and managing spoilers, damage has been limited and peace has triumphed" (ibid., 6). This point draws obvious attention to the important role the United States and the other Quartet members (UN, UK, and Russia), not to mention other regional actors, would have to play for any future peace accord to be a sustained success.

Spoilers vary by ambition and commitment level – that is to say, exactly what they hope to achieve and to what lengths they are prepared to go to do so.

Therefore an accurate appraisal of a spoiler's capabilities and determination is essential for the devising and implementation of an appropriate spoiler management strategy (ibid., 6). Custodians must also be keenly aware of the various different kinds of spoiler problems that any potential peace process could face. The first such consideration is the "position of the spoiler" – that is, whether the potential spoiler is inside or outside of an agreement (ibid., 8). The second consideration is the *number* of spoilers, as the more potential spoilers there are, the more complex the appropriate management strategy will likely be (ibid., 8). The third and perhaps most critical consideration is the *type* of spoiler - limited, greedy, or total – which will be explained in further detail in a subsequent paragraph (ibid., 8). The final consideration is the *locus* of the spoiler problem, i.e. whether the propensity of the group to play spoiler is due to the ambitions of the leader, the followers, or both (ibid., 8).

Examples of inside and outside spoilers are readily apparent in various stages of the Israeli-Palestinian peace process. As stated earlier Hamas was an outside spoiler to the 1993 Oslo Accords. The Israeli government can be viewed as an inside spoiler to the 2008 six month ceasefire with Hamas.

No Israeli had died during this ceasefire, but instead of alleviating the conditions in Gaza, as agreed at the ceasefire outset, Israel incrementally aggravated them. Not surprisingly, the calm eroded – and finally unravelled – following Israel's breach of the ceasefire and armed incursion into Gaza on 5 November, in which six Hamas members were killed, as well as twelve civilians" (Crooke, 2009: 30).

This example of an inside spoiler using violence runs contrary to Stedman's claim that the use of violence is usually reserved for outside spoilers, however

the strength of the Israeli government and military vis-à-vis the usual rebel groups that Stedman's theory envisaged adequately explains the difference.

Of most analytical significance to future peace negotiations in the Middle East peace process is Stedman's spoiler typology. Three distinct spoiler types are identified: limited, total and greedy (1997:10). At one end of the spectrum, limited spoilers "have limited goals," act pragmatically, and are able to adapt according to changing circumstances (ibid., 10). This however does not indicate a limited commitment to pursuing their goals, which they may view as sacrosanct (ibid., 10). Stedman cites RENAMO, a "South African-trained and assisted guerrilla movement" that were signatories to a 1992 peace agreement with the government of Mozambique (ibid., 40). In an attempt to gain leverage for their demands, RENAMO threatened to boycott the elections prescribed by the accord and to reject the results (ibid., 43). Regional and international custodians to the peace responded with a clear message "that they would not accept any obstruction to the elections" and that they would also "investigate any alleged electoral fraud" (ibid., 43). RENAMO made the pragmatic decision that their interests would best be served by abandoning the boycott strategy and rejoined the elections, taking several "seats in the newly elected Mozambican parliament (ibid., 43). At the opposite end of the spectrum are total spoilers, "who pursue total power and exclusive recognition of authority and hold immutable preferences: that is, their goals are not subject to change. Total spoilers are led by individuals who see the world in all-or-nothing terms and often suffer from pathological tendencies that prevent the pragmatism necessary for compromise

settlements of conflict. Total spoilers often espouse radical ideologies; total power is a means for achieving such goals as the violent transformation of society" (ibid., 10-11). Pol Pot of the Khmer Rouge is the archetypal example of a total spoiler. Greedy spoilers fall somewhere in the middle, and their goals or commitment are subject to expansion or contraction based on their perceived expectation for success (ibid., 11). Whether or not a group can transition from a one type of spoiler to another is down to the locus of the spoiler problem (ibid., 11). "If the impetus for spoiler behaviour comes from the leader, then parties can alter type if their leadership changes" (ibid., 11). Stedman references the "negotiated settlement of Zimbabwe's civil war [which] became possible only when Abel Muzorewa replaced Ian Smith as leader of Zimbabwe-Rhodesia," as an example of an instance where leadership change transformed a party from a total to a limited spoiler (ibid., 11). Hamas has been alternately labelled a total and a limited spoiler, which will be discussed in a subsequent section.

International actors overseeing a peace process tend to use one or a combination of, three main strategies for managing spoilers: inducement, socialization, and coercion (ibid., 12). "Inducement... entails taking positive measures to address the grievances of factions who obstruct peace" (ibid., 12). Custodians of the peace induce an aggrieved party to join a peace process or live up to their obligations under an existing agreement by satisfying at least their minimum requirements for compliance. These can vary depending on what the potential spoiler's requirements are based on. They may feel threatened and demand greater protection; they may want a 'fair' percentage of whatever

remunerations are on the table; or they may be after justice in the form of "legitimation or recognition of their position" (ibid., 12). Custodians must attempt to gauge the gravity of these requirements both in terms of the reality on the ground and the potential spoiler's perceptions so as to mollify the aggrieved party (ibid., 12). A second strategy Stedman identifies as socialization. This involves finding a balance of carrots and sticks to encourage those who are party to the peace process to modify their behaviour to conform to a certain normative standard, as well as constant emphasis by the custodian(s) of the importance of that normative standard (ibid.,13). "Normative standards can include commitment to the rules of democratic competition and adherence to the protection of human rights" (ibid.,13). The third strategy Stedman discusses is coercion, which "...relies on the use or threat of punishment to deter or alter unacceptable spoiler behaviour or reduce the capability of the spoiler to disrupt the peace process" (13). Coercion can take various forms such as "threat and demand... [typified by] the use of NATO air strikes against Bosnian Serbs in 1995" (ibid., 13). This strategy is seldom attempted however, much like "the application of force to defeat the spoiler" where an international actor attempts to eliminate or incapacitate a spoiler by military means (ibid., 13). Two more common versions of the coercion strategy are what Stedman terms the "departing train" strategy and the "withdrawal" strategy (ibid., 14). The departing train strategy combines a decision that no further accommodations will be made for the spoiler and a fixed date at which time the peace process will move on regardless of the spoilers continued participation (ibid., 14). This approach is

obviously best suited to a greedy spoiler of limited, or at least suppressible, means to disrupt the peace process should they opt not to comply. "The withdrawal variation of the coercion strategy assumes that the spoiler wants an international presence during the peace process; the strategy aims to punish the spoiler by threatening to withdraw international support and peacekeepers from the peace process" (ibid., 14). However, the downside to this approach is it also potentially punishes those "...parties who have fulfilled their obligations and rewards any spoiler who opposes international engagement" (ibid., 14).

For a positive outcome of a peace process to transpire, peace brokers must correctly diagnose the spoiler type and implement a suitable set of procedures to neutralize the spoiler (ibid., 14). They must also be mindful of "organizational blinders that lead them to misread intentions and motivations" (ibid., 7). This point is of particular pertinence to the dynamics of the Israeli-Palestinian peace process and will be returned to at length in a subsequent section. "A total spoiler, because it defines the war in all-or-nothing terms and holds immutable preferences, cannot be appeased through inducements, nor can it be socialized; moreover, both inducement and socialization risk strengthening the spoiler by rewarding it" (ibid., 15). Given the absolute nature of the total spoiler, the only recourse left under Stedman's strategies rubric is coercion; though two of the four manifestations of this approach, as he indicates, are still problematic (ibid., 15). "Coercive diplomacy is unlikely to succeed, given the cost insensitivity of total spoilers; they call bluffs and test wills" (ibid., 15). Under this diagnosis, custodians must be extremely wary of their own tactics and

commitment levels toward ensuring a peace settlement sticks, as any loss of prestige on their part is automatically a gain for the spoiler.

Furthermore, international actors who choose to attempt coercive diplomacy against a perceived total spoiler must be certain to "establish escalation dominance" (ibid., 15) as they can expect to have their mettle tested and any sign of weakness will be seen as an opening to sabotage the peace. "The withdrawal strategy also backfires against a total spoiler, who has everything to gain if custodians abandon the peace process" (ibid., 15). This leaves the 'departing train strategy' or a strong military response as the only suitable recourse for a total spoiler (ibid., 15). The departing train strategy can be effective if the potential spoiler is sufficiently weak, or the international custodians have sufficient resources and resolve, to ensure that once excluded from the peace process any future attempts by the spoiler to disrupt the peace are suppressed (ibid., 15). This is most often manifest in the deployment of peacekeepers. The more extreme option of military force, where an international actor (or coalition of actors), attempt to permanently suppress a potential spoiler through armed engagement, can also be successful but generally at a cost higher than most custodians of the peace are willing to pay.

Unlike total spoilers, limited spoilers are frequently pragmatic and consequently have much greater potential for inclusion in a peace process.

Additionally, as their goals are not total they can be negotiable, provided they fall within the "bargaining range established by the other parties who have already committed to the peace" (ibid., 15). For this reason, it is important to coax limited

spoilers into the peace process as early as possible so that the positions of the existing parties do not become intractable and space for meaningful negotiations can still exist. Where a limited spoiler's demands "...cannot be accommodated through inclusion, then the custodian may have to choose socialization or coercion. The danger is that the threat or use of force may prompt a counter escalation of violence by the limited spoiler" (ibid., 15). Although Stedman never explicitly makes this claim, the logical extension of his argument is, if limited spoilers cannot be accommodated through inducement, though socialization or coercion may be the only recourse, there is an acute risk that the *formerly limited* spoilers may shift down the spectrum and become *total* in nature.

Despite the importance of correctly diagnosing the typology of a spoiler and applying an appropriate mitigation strategy, oftentimes international actors' good intentions are hampered by "organizational blinders" (ibid., 7). These are traits or circumstances inherent to the custodian that cause them to "misread intentions and motivations" (ibid., 7). This could be a political bias based on past experience, domestic constituent concerns, or a lack of cultural or contextual understanding. The presence of these blinders may go a long way toward explaining the wide gulf in opinion regarding the true nature of Hamas as a potential spoiler. Increasingly, scholars from various backgrounds see Hamas as pragmatic, progressively more moderate, and thus, prime candidates for engagement in a future peace process. For example, former head of the Israeli Mossad and ambassador to the European Union who also served as then-President Ariel Sharon's national security advisor, Efraim Halevy, has

categorized Hamas as "rational players" who should be enticed into the political process and engaged on a possible two-state solution (Halevy, 2009: 32).

#### 1.2 The Differing Perceptions of Hamas

Israeli scholars Shaul Mishal and Avraham Sela, in their 2000 book The Palestinian Hamas: Vision, Violence, and Coexistence conclude, "Hamas is not a prisoner of its own dogmas. It does not shut itself behind absolute truths, nor does it subordinate its activities and decisions to the officially held religious doctrine" (viii) – in other words they are certainly not a total spoiler. They go on to add: "Hamas is more reformist than revolutionary, more populist than avantgarde, more political than military, more communal than universalist" (ibid., 169). In a collaborative essay between Alastair Crooke, a former British diplomat, and Beverley Milton-Edwards, a British academic who specializes in Middle Eastern and Islamic politics, the authors make the case that "Hamas... has demonstrated considerable political pragmatism in the past and that, more recently, it has shown itself to be open to political maneuver [sic]" (2004: 40). Are Knudsen and Basem Ezbidi, and Jeroen Gunning even pick up on Stedman's terminology in separate articles, with both labelling Hamas a limited spoiler (Knudsen and Ezbidi, 2007: 198; Gunning, 2004: 252). Gunning even goes on to state, "given Hamas's [sic] consultative leadership style and its reputation for integrity, it is likely to be able to carry its supporters with it into a permanent ceasefire, and eventually even peace – as long as the structural conditions change sufficiently for its constituency to see genuine progress on the ground" (2004: 252). Even "U.S. foreign-policy luminaries... former U.S. national security advisor Brent

Scowcroft and Zbigniew Brzezinski, have called on Hamas to be formally brought into the peace process" (Solomon and Barnes-Dacey, 2009: A.10) indicating the changing attitudes towards Hamas are not limited to the halls of academia but are starting to make their way into the chambers of policy as well.

Despite the multitude of pundits who see Hamas as a pragmatic actor, there are still many who espouse the view that casts Hamas as a total spoiler, guided solely by religious fervour and hell-bent on the destruction of Israel. Noted academic John Darby depicts Hamas as 'zealots', defined as those whose goal "... is not to influence the content of a peace agreement [but rather]... to ensure that an agreement is not reached or, if reached, is derailed" (2001: 48). Marie-Joëlle Zahar goes a step further by suggesting that for Hamas, peace with Israel would negate its raison d'être and hence any compromise would be tantamount to 'political suicide' (2008: 161). The official position of the Israeli government as articulated by former director-general of the Israeli Foreign Ministry Yoav Biran is, if possible, even more prosaic – "there is only one Hamas," and it is a terrorist organization" (Gunning, 2004: 234). This assessment seems to inform the approach of the Quartet who responded to Hamas' 2006 electoral victory by issuing a set of demands "that signified that the only lens through which they could perceive the election victory was terrorism" (Milton-Edwards, 2007: 305). That Hamas refused to meet these demands confirms to Israeli professor Shlomo Hasson that, "committed to its charter, Hamas sees the entire land between the Mediterranean Sea and the Jordan River as Wagf land, that is holy land that cannot be compromised" (2010: 394). However, Arab scholar

Khaled Hroub cautions that, "any attempt to understand them solely from an ideological perspective by... measuring them against... [their foundational] 1988 Charter would be greatly misleading" (2008: 70).

So given the diametric division in judgments as to their proper classification under Stedman's spoiler typology and the resultant conflicting spoiler management strategies that each diagnosis ascribes further analysis is needed. Those who classify Hamas as a total spoiler seem to do so based on its Islamist identity and the assertion that this defines them as ideologically rigid and incapable of pragmatism. If this is accurate then Hamas cannot be induced or socialized, and given Hroub's warning that, "it would be very difficult, if not impossible, to destroy [Hamas] because it is so deeply rooted [in Palestinian society]" (Gunning, 2004: 233) any hope for a successful resumption of the peace process in the near future would seem mere folly. However, if it is determined that Hamas is quite capable of, and in fact frequently exhibits, pragmatic decision making despite its Islamist platform then the strategy with which they are currently addressed must be changed for the peace process to have a chance of success. This is the impetus for chapter two's focus on Islamists and the circumstances under which they moderate.

#### 2: CHAPTER 2

#### 2.1 Islamists – Capable of Pragmatism or Driven by Dogma?

This chapter will take a closer look at Islamists and call in to question the view that they are by definition ideologically rigid and incapable of moderation. Carrie Rosefsky Wickham directs us to Daniel Pipes as "perhaps the strongest academic proponent" of the claim that "Islamic moderation does not exist" (Wickham, 2004: 206). As Wickham relates, Pipes "categorizes all individuals and groups that seek the Islamic reform of society and state as 'fundamentalist' and defines fundamentalism as a radical utopian movement akin to Fascism and Communism that is by definition 'anti-democratic,' 'anti-Semitic,' and 'antiwestern.' While Pipes does acknowledge, "[f]undamentalist Muslim groups, ideologies, and tactics differ from each other in many ways" he maintains "...every one of them is inherently extremist" (ibid., 206). It is the "inherentness" of the extremism that this section will call in to question. Though most academics do not go as far as Pipes, there is nevertheless a frequent tendency amongst scholars and bureaucrats to address Islamists monolithically. There is another common thread in Middle Eastern scholarship that accepts the existence of moderate Islamists but uses the term "moderate" to describe Islamist groups "with whom Western governments feel they can 'do business'" (International Crisis Group, 2005: 2).

Though moderation has been variously defined by different authors, this paper will use the definition offered by Wegner and Pellicer (2009) as its clarity and simplicity make it an excellent tool for analysis. They define Islamist moderation "as an increasing flexibility towards core ideological beliefs" (158). This definition is enhanced by the clarifications of Carrie Rosefsky Wickham when she writes: "[moderation]... refers to the stated positions of Islamist leaders and groups regarding the organization of domestic politics, rather than economics or foreign policy. Second, it refers to change in stated views of an opposition leader or group relative to their positions in the past. Defining moderation in this way makes it possible to track important changes in an opposition group's platform irrespective of its ideological starting and end points. Third, moderation may be uneven across issue areas. A single group may espouse moderate positions on some issues and radical positions on others and may undergo uneven moderation (or radicalization) over time" (Wickham, 2004: 206). This chapter will proceed with a close examination of the Wasat party of Egypt to counter the claims of commentators like Pipes who allege 'moderate Islamist' is a contradictory concept. This will be followed with a brief look at some other Islamist groups that have also ventured down the path to moderation, if not quite as far, and offer some explanations for how and why such groups moderate.

#### 2.2 The Wasat Party - Down the Road to Moderation

The term "Islamist" is used to describe an incredibly diverse assortment of people and groups, who are lumped together based on the commonality that they

all possess a "political perspective centrally informed by a set of religious interpretations and commitments" (Wittes, 2008: 7). However, the term obscures that, though based on a common religion, there may be a great deal of variance in the political perspectives generated as well as the religious interpretations that go into forming them. Conflating such disparate groups as the adherents of Osama Bin Laden, with "peacefully elected legislators in Kuwait who have voted in favour of women's suffrage" not only renders the term 'Islamist' largely meaningless (ibid., 7), it also obfuscates the variance of the religious interpretations and commitments within these groups. Even academics that recognise the complexities that are inherent within the Islamist movement "are often guick to point out the nondemocratic implications of what remains the primary objective of most Islamist groups, the call for Shari'a rule" (ibid.,7). However, this too tends to obscure the fact that not all Islamists interpret the Qur'an in the same way; not all Islamists call for Shari'a law to supersede existing secular legislation, and not all that do have a uniform vision for its application. It also "diverts attention away from recent Islamist efforts to incorporate such ideas as pluralism, tolerance, and human rights in a Shari'a framework" (Wickham, 2004: 207).

Since the 1970s, there has been a modest resurgence of what Charles Kurzman, among others, has termed "liberal Islam" (Kurzman, 1998: 11). "Liberal Islam, [which] emerged out of the revivalist movements of the eighteenth century" (ibid., 6) embodies in various contexts "...opposition to theocracy, support for democracy, guarantees of the rights of women and non-Muslims in

Islamic countries, defence of freedom of thought, and belief in the potential for human progress" (ibid., 4). In fact, "the [Islamist] liberal tradition argues that Islam, properly understood, is compatible with – or even a precursor to – Western liberalism" (ibid., 6). The main tenant of Islamic liberalism is *ijtihad* – the application of human logic and reasoning to adapt traditional Islamic principles to a modern context (Wickham, 2004: 207). Perhaps the most perspicuous example of these ideas forming the basis for a political platform is the *Wasat* (Center) Party of Egypt (ibid.,207). Formed in 1996 by a group of former Muslim Brotherhood members, the *Wasat* party:

seeks to establish a political system based on Islamic law. Yet, in keeping with its emphasis on the need for a critical reassessment of the historical *Shari'a*, it affirms the principle of popular sovereignty as the basis of legitimate state power, endorses pluralism in all spheres of social and political life, and supports equal rights for all citizens, including women and non-Muslim minorities. Thus, it represents a form of political Islam that is qualitatively different from the ideological extremism of militant Islamist groups, as well as a more subtle, but nonetheless significant, departure from the religious conservatism of the Muslim Brotherhood and other mainstream Islamist groups (ibid., 207).

What makes the *Wasat* party of particular interest to this paper is that the party platform "...represents a sharp break from the conservative interpretation of Islam previously embraced by its founders" (ibid., 207). In other words, not only is the *Wasat* party Islamist and moderate, but the ideology of its founding members has very much followed Wegener and Pellicer's depiction of progressive moderation.

Theories abound as to what exactly has caused the former Muslim

Brotherhood members to pursue a more pragmatic and centrist political path. An

examination of the social and political circumstances in which the Wasat party came to be, suggests the moderation came about due to a combination of "rational cost-benefit calculations" and "political learning" (ibid., 214). The party's formation occurred at a time of significant political repression in Egypt that saw many known Islamists detained, charged, and imprisoned (ibid., 212). In the year before the Wasat party was officially formed, "Mubarak's regime detained eighty-one of the Brotherhood's leading activists, including former members of parliament, university professors, syndicate officials, and businessmen.... Fiftyfour [of which] received sentences of up to five years with hard labour" (ibid., 212). As Wasat party co-founder Abu Ayla Madi Abu Ayla acknowledged, these circumstances dictated a change in approach for practical reasons, as moderation would make party members less of a target for state repression. Furthermore, the arrests and subsequent imprisonments indicated to *Wasat* party founders that working outside the system was problematic as it raised the ire of potential allies in both the regime and opposition (ibid., 213). Therefore it was determined that it was time to seek legal status and join the system to participate in public life (ibid., 213). Additionally, there may have been some recognition that "...at a time when democracy had emerged as a powerful global norm adjudicating the legitimacy of Arab regimes and oppositions alike, the articulation of a 'democratic' platform would enable the Islamists to seize the moral high ground vis-à-vis the country's authoritarian rulers, facilitate alliances with secular opposition groups, and potentially increase domestic and external pressures that would open a democratic electoral route to political power" (ibid., 213). However

there was surely more than just cost-benefit strategy at play in the decision to moderate as the expected payoffs from such a strategy were "likely to be modest at best" (ibid., 213). There were never any overtures from the regime that suggested that moderation would lead to legalisation, and in fact all bids by the Wasat party to gain legal party status have been denied thus far (ibid., 213). In fact their 1997 attempt to gain official party status was not only refused by the government but was openly opposed by the Muslim Brotherhood, which felt threatened by their potential competitors and ostensibly disapproved of their liberal interpretation of Islam (Norton, 2005: 142). Likewise, the assertion that the Wasat party was formed as a purely strategic attempt to curry favour with the Egyptian electorate is equally deficient as the recent results in professional associations indicate said electorate had little if any qualms with the brand of Islam practiced by the Muslim Brotherhood (Wickham, 2004: 213). Lastly, the Wasat party founders were unable to successfully reach across the ideological divide to ally with any of Egypt's secular parties, who were untrusting of Wasat's moderation and suspected it may yet be a façade to mask their true intentions (ibid., 214). Yet, as illustrated by the aforementioned objections of the Muslim Brotherhood to their party application, the Wasat party also found itself alienated from much of the Islamist camp who disapproved of their call for ijtihad. As Madi explained, "We often find ourselves between two fires, the lack of a democratic state where we can express ourselves, and the risk of treading on what other Islamists feel are sacred principles" (A Gentler Middle Eastern Islam?, 2000: 46). As Wickham argues, "the willingness of the Wasat Islamists to alienate

conservative Muslim clerics and expose their own Islamic credentials to doubt suggests that moderation was a result not solely of rational cost-benefit calculations but also of political learning" (2004: 214). However it can be further argued that the willingness of the *Wasat* Islamists to alienate their traditional support base without a reasonable expectation of gaining support from the secularist parties, the Mubarak regime, or the Egyptian electorate at large suggests that moderation was *much less* a result of rational cost-benefit analysis and *primarily* due to political learning.

The men who would go on to form the *Wasat* party generally began their political lives as student activists in the 1970s<sup>1</sup>. From 1975 onwards, the Islamic student associations gradually gained more ground in general student politics and in 1977, a group of activists travelled the country to promote Islamist participation in that years student elections (Utvik, 2005: 296). Their efforts resulted in the emergence of "an organized Islamic student movement at the national level" and considerable subsequent electoral success, as the Islamists won controlling majorities in the student bodies of eight of the twelve universities and a respectable showing in the remaining four (ibid., 296). In short order the most dedicated activists emerged as leaders (*amirs*) of the Islamic student associations (*jama'ats*) and subsequently as elected leaders of student unions (Wickham, 2004: 214). At that time the political orientations of these students differed a great deal from what they are today (ibid., 214). Then in their late

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<sup>&</sup>lt;sup>1</sup> This section leans heavily on the exemplary, comprehensive study of Egypt's *Wasat* party by Carrie Rosefsky Wickham (2004).

teens and early twenties, and influenced by the revivalist preaching of "Brotherhood ideologues" like Hassan al-Banna and Sayyid Qutb, the student activists "...saw themselves as the vanguard of a broad Islamic awakening that would purify Egyptian society of corrupting western influences and establish a system based on the strict application of Islamic law (ibid., 216)." Further, these activists subscribed to a "highly literalist and conservative interpretation of *Shari'a* rule which... favoured mandatory veiling and the gender segregation of public space" (ibid., 216). Further reflective of the revivalist influence, the *jama'ats* depicted Egyptian society as "existing in a state of *jahiliyya* (wilful ignorance of god's will)," and further asserted that "...sovereignty and the right to legislate belonged to God alone (ibid., 217)."

In spite of their repudiation of democracy as a Western construct, Islamist student leaders excelled in electoral competition (ibid., 217). In addition, once gaining office in the student government, they were able to foster their image as capable administrators by arranging tutoring, gender segregated transportation and other such services (ibid., 217). However, despite their modification of tactics, there was no accordant moderation of their goals at this point in time (ibid., 217). As recently as the 1970's most of Egypt's middle generation Islamist leaders held views similar to the MB founders who remained true to a very conservative understanding of Shari'a law which was far removed from and openly hostile to, liberal democracy (ibid., 217). Faced with the question of how to continue their activism after graduating from university, some of the more eminent student leaders decided to join the Muslim Brotherhood (ibid., 217-218).

Although they clearly felt a strong allegiance to the Brotherhood, it is nevertheless true that they joined the organization as established activists with a body of work and a network of supporters accrued by their own efforts, independent of the MB (Utvik, 2005: 297). One such person was Abu Ayla Madi Abu Ayla a former student leader for the Faculty of Engineering of Minya University in Upper Egypt (Wickham, 2004: 218). As Madi explained, "the idea was we [young leaders] would breathe new life into the organization" (ibid., 218). Over the next ten years, these former student leaders were at the forefront of the Brotherhood's ingress into "parliament, professional syndicates, university faculty clubs and other spheres of Egyptian public life" (ibid., 218). They began running for election to the syndicates' executive boards in 1984 and in less than a decade they held "controlling majorities in the doctors, engineers, scientists, pharmacists, and lawyers' syndicates" (ibid., 218). It is also of note that the decision of the young activists to join the Brotherhood was indicative of their belief in the illegitimacy of violence as an instrument for social change (Utvik, 2005: 298). This stands in sharp relief against other more radical student activists of the day who following the prison writings of Sayyid Qutb preferred a path of direct confrontation (jihad) against the government (ibid., 298).

The new positions as syndicate officials altered the former amirs' immediate goals (Wickham, 2004: 218). As elected representatives of large, national public institutions, they were beholden to address the priorities of their constituents regardless of their religious or political preferences (ibid., 218). Now in their late twenties or early thirties, they embraced their new responsibilities

with considerable fervour, organizing "advanced training courses, offer[ing] health and emergency insurance, extend[ing] low interest loans to help young members get married and/or establish their own small businesses, and facilitat[ing] the purchase of consumer durables and furniture on long-term instalment plans" (ibid., 218). Additionally, they negotiated a reduction of university enrolment with the ministry of education and the Supreme Council of Universities, to alleviate the present labour surplus and called for the creation of "liaison offices to help Egyptian professionals obtain work in other Arab states" (ibid., 218).

The Islamists played a key role in administering syndicate elections in addition to their other duties (ibid., 218). For the most part, elections under their supervision were said to be "free and fair," even by losing candidates (ibid., 218). Their ability to mobilize voters enabled the Islamists to easily win elections "under conditions of free competition" and at the same time further their image as honest and fair administrators who put the interests of their syndicates before their own partisan goals (ibid., 218).

As the *amirs*-turned-syndicate leaders' roles changed, so to did their attitudes and quotidian routines (ibid., 218). In the course of their daily duties they were forced to interact with "other political trends" so as to fully represent the interests of all their constituents and their constituents' families, regardless of their religious beliefs (Utvik, 2005: 299). "Their behaviour shifted...from a politics of principle to a politics of responsibility" (Wickham, 2004: 218). Their jobs entailed seeking out help and advice from professionals and government

authorities who did not necessarily share their views, in addition to collaborating with secular opposition parties and nongovernmental organizations (ibid., 218). In short, the Islamists' new roles demanded "...higher levels of competence, pragmatism, and professionalism than had been required of them in the past" (ibid.,219).

The Islamist leaders of Egypt's professional syndicates also utilised their new positions of power to bring national issues into the public discourse (219). One of the ways they accomplished this was by organizing conferences dealing with issues ranging from poverty, unemployment, and housing availability, to freedom and development, and terrorism; scholars of varying academic and political backgrounds were invited to partake (Utvik, 2005: 299). In addition to these conferences, Islamist Trend leaders used other forums, including syndicate meetings and even statements in the media to call for the revocation of the country's emergency laws, denounce the torture of political detainees (the vast majority of whom were Islamists), and advocate broader democratic reforms (Wickham, 2004: 219). Also, the Islamists reached out to secular opposition groups, despite fundamental philosophical differences, to champion a "moral campaign against the authoritarian excesses of Mubarak's regime" (ibid., 219). Common ground on the desire for political reform allowed for unprecedented cooperation across partisan lines (ibid., 219). "For example, Islamists and secularists issued joint petitions at the six national professional association conferences organized by Islamist syndicate leaders between 1990 and 1994" (ibid., 219). In addition, the Islamists aligned with opposition leaders of all

political backgrounds in opposing Egypt's participation in the U.S.-led alliance against Iraq in the first Gulf War (ibid., 219). Finally, Islamist syndicate officials' perspectives were broadened by new opportunities to go abroad and participate in conferences and humanitarian endeavours with people of other ethnic and religious (including Jewish) backgrounds (ibid., 219).

In conclusion, in their decade as elected officials the Islamists assumed highly visible and accountable roles in pursuit of national and international causes only peripherally related to the goal of Islamic reform (ibid., 219).

Their collaboration on such issues with non-Islamist individuals and groups appears to have led to a series of adjustments in their broader world-view. In the campaign for democracy and human rights, issues that were initially of only instrumental importance metamorphosed into matters of principle. For example, what began as opposition to the torture of suspected Islamic militants became opposition to torture as a basic violation of human rights, regardless of the identity of the perpetrators or the victims. Similarly, the call for the legalization of the Islamist opposition broadened over time into a call for freedom of assembly for all political parties.

Equally important, the pursuit of shared goals forced the Islamists to break out of the insular, ideologically uniform networks of Islamist *Weltanschauung* politics and enter into sustained interaction with leaders of parties and nongovernmental organizations, human rights activists, academics, and journalists outside the Islamist camp, including Coptic Christians and unveiled, assertive women. The impact of such interactions on their political thinking was profound. Finally, the Islamists' interaction with civic and political activists outside the Islamist movement led to a qualitative shift in their positions on a number of sensitive issues (ibid., 219-220)

Madi credits his diverse interactions with "many different types of people" for his changed views "...on the rights of women, the status of Copts and the question of national unity, the scope for artistic creativity and expression, and relations

with the West" (ibid., 220). Like Madi, other ex-Brotherhood members who have joined the *Wasat* party initiative characterize this change in their outlook "as a 'maturation' or 'development' of their ideas rather than as an abandonment of their prior goals" (ibid., 220). While the Islamists who have gone on to form the *Wasat* party are as dedicated to the "comprehensive Islamic reform of society and state" as they ever were, their perception of appropriate means in service of this reform and even what the ultimate reform should entail have evolved a great deal from their days as student activists (ibid., 220).

It is important to note that there are still some who see the *Wasat* party's position as mere window dressing to hide nefarious intentions. However, to dismiss the Wasat party as simply 'wolves in sheep's clothing' is to turn a blind eye to the processes that led them to break away from the Muslim Brotherhood in the first place. It also fails to account for the lack of reasonably anticipated, or actual realized, strategic gain that liberalization – even if it actually is just lip service – has brought them. Admittedly, it is also possible to argue that the Wasat party is the exception that proves the rule. It is certainly difficult to find another example of a group that appears so thorough in their transition; however there are many other examples of moderation that fall under Wickham's previously stated definition (2004: 206). "The Islamic Party of Malaysia, Prosperous Justice Party in Indonesia, Justice and Development in Morocco, and the Islamic Constitutional Movement in Kuwait... all engage in legislative processes like other so-called secular political parties, compromise over the passage of bills, and for the most part focus on bread-and-butter issues that are

of concern to their constituents" (Nakleh, 2009: 31). In short, political parties founded around an Islamist vision have just as much potential as any other political party founded around secular or indeed other religious principles to govern based on pragmatic considerations. In fact, many Christian democratic parties in Europe and elsewhere have followed a similar trajectory

The process of moderation that occurred over ten-plus years for the Islamists who formed the Wasat party was clearly the result of political learning and repeated interaction with people and groups of differing backgrounds and beliefs. However there is nothing to say that there is anything prescriptive in the Wasat experience – that is to say, even if the circumstances that resulted in the change in outlook of the Wasat leaders could be replicated, there is no way to guarantee they would generate the same results. As this case study has shown, the circumstances that led to the moderation of the Islamists who founded the Wasat party were complex and occurred over a long period of time. Furthermore, as human beings exercise freewill and base their decisions on their own unique milieu, a different group of people placed in the same situation may make different decisions and generate different outcomes. However, assuming the democratic system was reasonably robust the electorate could oust those representatives who chose to pursue their own causes above those of the people they were meant to represent. Another theory of note with regard to allaying fears that once elected, Islamists will embark on a total Islamization of society is the 'pothole theory.' The pothole theory states that once elected, any party -Islamist or secular - is generally too busy fulfilling the daily needs of the people,

(i.e. filling potholes), to attempt a top down transformation of society. As one Hamas parliamentarian has said, "we are too busy focusing on providing jobs, electricity, home cooking fuel, travel permits, and garbage collection and have no time to promote *Sharia* [sic] (Nakleh, 2009: 31)." Lastly, provided the checks and balances in the democratic system are strong enough, either inherently, or through a robust international monitoring system it makes little difference whether an Islamist party once elected would secretly wish to transform the society by imposing Shari'a. In most cases, "there would likely be more than enough countervailing power in society to ward off an Islamist imperium" (Masoud, 2008: 21). In short, one need not be convinced that Islamists are true democrats in order to feel confident that they will not subvert democracy (Masoud, 2008: 20).

Given the conclusion of this chapter – that Islamic moderation is indeed possible, generally through political learning and experience, the final chapter of this paper will closely examine the Hamas movement to see if moderation has indeed occurred, and if so, should they be included in the Middle East peace process?

## **3: CHAPTER 3**

## 3.1 Hamas - a case study:

Hamas is frequently characterised as a dogmatic, radical organization, in large part due to the dogmatic tone of its foundational charter. Passages such as Article 8, which says of Hamas: "Allah is its goal, the Prophet is its model, the Qur'an is its constitution, Jihad is its path, and death for the sake of Allah is its most coveted desire" certainly, and by design, further this impression. However, to gain a proper appreciation of Hamas one must consider their prehistory, the circumstances in which they were formed and the evolution that has taken place over the twenty plus years of their official existence. The ensuing section will do precisely that in hopes of evaluating whether any apparent moderation is in fact just rhetoric, or is indeed a genuine reflection of political learning.

The classic adage that 'you don't know where you're going until you know where you've been' is particularly true of social movements. To understand what drives Hamas, how and why they have evolved the way they have, and to attempt to analyse what motivates the organization's leadership one needs to know not just know the headlines but also the context and milieu in which Hamas was conceived, birthed, nurtured, and has matured. To that end, this chapter will take a close look at Hamas from pre-inception to their 2006 electoral coming of age and beyond, paying close attention to not just their actions but the underlying

circumstances and motivations that has guided the movement from, ostensibly anger and dogma fuelled violence to restraint and political gamesmanship.

The pre-embryonic roots of Hamas trace back to 1920s Egypt. In 1928, Egyptian school teacher Hasan al-Banna founded the Muslim Brotherhood (MB) with the missions of ending colonial domination of the Muslim world in general, and Egypt specifically, and of re-Islamising Egyptian society (Gunning, 2007: 26). Meanwhile, the first example of what can be described as "Islamic political activity in Mandatory Palestine ... [emerged] in the form of local branches of the Egypt-based Young Muslim Men's Association (Jam 'iyyat al-shubban almuslimin)," of which "[t]he Haifa branch was headed by Sheikh 'Izz al-Din al-Qassam" (Mishal & Sela, 2000: 16). He would gain notoriety in the early 1930s for leading a group that killed Jews and British officials in what was "...portrayed as a jihad for the liberation of the land of Palestine" (ibid., 16). Qassam was killed in 1935 in a fire fight with British soldiers in northern Samaria, in what he had hoped would be the beginning of a guerrilla war (ibid., 16). "His religious status and his fall in battle against the British turned Qassam into a national symbol and role model of self-sacrifice and dedication to the duty of war against foreign intruders in the land of Islam" (ibid., 16). Coincidentally, 1935 also marked Palestinian society's first official contact with the Muslim Brotherhood as "the Egyptian branch sent two of its leaders on a mission to Palestine" (Jensen, 2009: 11). The Brotherhood had always expressed "concern for the fate of Palestine" (Gunning, 2007: 26), however it was not until 1945 that the first Palestinian branch of the Muslim Brotherhood was established (Jensen, 2009:

11). Expansion of the MB in Mandatory Palestine occurred rapidly, though the exact figures vary by source,<sup>2</sup> and was "facilitated by the emergence of a more autonomous Palestinian lower middle class, and the nascent Islamist trend which had grown as a result of, among others, the preaching, institution-building and 'paramilitary' activities of 'Izz al-Din al-Qassam" (for whom Hamas would name their paramilitary Brigades) (Gunning, 2007: 26-7). However, the initial momentum of the Brotherhood in Palestine hit a major obstacle in 1948 in the form of *al-nakba* (the catastrophe), the Arab defeat in the first Arab-Israeli war (Jensen, 2009: 12).

Al-nakba resulted in the former British Mandate of Palestine being divided up into three parts: Israel, the West Bank, and the Gaza Strip (ibid., 12). The 5,800 square kilometre West Bank was to be administered by Jordan, (though it was fully annexed in 1950), while the much smaller 360 square kilometre Gaza Strip was to be administered by Egypt (ibid., 12). It also resulted in a drastic realignment of the population with many Palestinians displaced by the fighting fleeing Israel and settling in refugee camps in the West Bank and the Gaza Strip. This had major consequences for the Muslim Brotherhood as both the make-up of their constituency, and their political reality changed dramatically. The MB branches that existed within Israel-proper, roughly three quarters of the former mandate, became largely inoperative due to the mass exodus of refugees out of Israel (Gunning, 2007: 27). The West Bank chapters and their 700-1,000

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<sup>&</sup>lt;sup>2</sup> Mishal and Sela state that by 1947 the MB had opened "thirty-eight branches with more than ten thousand registered members (2000: 16)," while Jensen cites twenty-five branches with between twelve thousand and twenty thousand active members for the same year (2009: 11).

members were absorbed into the Jordanian Muslim Brotherhood (JMB); likewise, their political agenda was accordingly subsumed to that of the JMB (ibid., 28). The Jordanian Muslim Brotherhood was on relatively good terms with the Hashemite regime and would soon opt to become "loyal opposition" to the King (ibid.,28). Given the political climate of Jordan at the time the West Bank Brothers' hands were largely tied – their calls for Palestinian liberation took a back seat to the King's agenda (ibid., 28). While they continued to pay lip service to the idea of resistance this was largely restricted to weapons training (ibid., 28). Moving forward most of their energy was focused on welfare initiatives, particularly with regards to servicing the newly arrived 400,000 refugees, and participating in local politics at all levels (ibid., 28).

The branches of the Muslim Brotherhood in the Gaza Strip had a somewhat different experience from their West Bank brethren. The Gazan MB branches were the largest political organization in the Strip, though their ranks never exceeded 1,000 members (ibid., 27), and as the Gaza Strip now fell under the control of Egypt, the Gazan MB were now subject to the same history and conditions as the Egyptian MB. In the late 1940's the Muslim Brotherhood was largely suppressed by King Farouk's government, however the 1952 coup that brought Gamal Abdel Nasser and the Free Officers to power substantially changed this dynamic. Several of the Free Officers had personal ties to the Brotherhood and consequently the early years of Nasser's rule were marked by a level of cooperation between the two parties that led many to view the Brotherhood as part of the government (Jensen, 2009: 13). This time of relative

stability allowed the Brotherhood to expand their membership and activities (ibid.,13), though they dedicated most of their energies to servicing the 220-250,000 newly arrived refugees that had effectively tripled the Gazan population (Gunning, 2007: 27). The Brotherhood proved very proficient in this endeavour, establishing a noticeable presence in all the major refugee camps, which would result in refugees making up an important part of the MB constituency (ibid., 27). The Brotherhood proved less proficient at their attempt at armed resistance, though "their efforts served as the training ground for some of those who would later found Fatah" (ibid., 27).

The honeymoon between the Muslim Brotherhood and Nasser's regime was short lived. By 1954, Nasser had moved to consolidate power by crushing most of the opposition and banning all political parties (Jensen, 2009: 13). Also in 1954, Nasser banned the Muslim Brotherhood in Egypt thus beginning a sustained period of severe repression, which beget the hostile relationship between the Nasserist regime and the Islamists in Egypt and the Gaza Strip (Mishal and Sela, 2000:17). "This ban forced the MB in Gaza to conduct its activities secretly until finally, under the joint pressures of the Nasserist regime and the wave of Arab nationalism in the early 1960s, the movement was forced to go underground and significantly limit its public presence" (ibid., 17). In light of the repression they were suffering the MB decided to renounce resistance, but to no avail (Gunning, 2007: 27). Nasser's harsh stance on the Muslim Brotherhood peaked in the aftermath of an alleged coup attempt in 1965, resulting in the arrest of thousands of the movement's activists in Egypt, including Ahmed Yassin

(who would later go on to found Hamas), and the execution of their most prominent leaders (Mishal and Sela, 2000: 17) The decision to renounce resistance would have significant consequences for the MB, both in the short term with the loss of some of its members who left to form Fatah, and in the longer term loss of prestige that would be felt most keenly after 1967 (Gunning, 2007: 27).

As alluded to previously, pan-Arabism was the dominant ideology in the Middle East of the 1960s, both in society and in government, well ahead of Islam (Jensen, 2009: 14). However, the ignominious defeat suffered by the Arabs in the Six-Day war (1967) drastically altered the "political opportunity structure" facing the Palestinian Brotherhood" (Gunning, 2008: 28). The loss essentially spelled the end of pan-Arabism and opened the door for Palestinian nationalism and Islamism to re-emerge (ibid., 29). The Palestinian Brotherhood took the defeat as confirmation that all previous attempts to liberate Palestine had been misguided and it was therefore "high time to give Islam a chance" (Jensen, 2009: 15). Though they found themselves in a state of decline at the end of the war, within a year the Brotherhood had re-emerged, establishing charities, discussion groups, and conducting other such activities in close associations with the mosques (ibid., 15). Its re-emergence "as a modest charitable network, rather than a political faction, was a function of its relative weakness vis-à-vis the nationalists" (Gunning, 2007: 30). Nevertheless, the Brotherhood was able to eke out a niche for itself "institution-building" in the West Bank and the Gaza Strip (ibid., 30). After 1973 it was able to expand its activities thanks in large part to an increase in funds pouring in from the Gulf States (Jensen, 2009: 15).

Accordingly, "[i]n 1973, under the leadership of school teacher Ahmed Yassin, and a number of recently graduated students from the lower-middle classes it [the Brotherhood] founded what was to become the hub of the Gazan Brotherhood, al-Mujamma' al-Islami (Islamic Centre), to be followed in 1976 by al-Jamiyyah al-Islami iyyah (Islamic Association), both of which focused on educational, social and welfare activities in areas neglected by others: refugee camps and poor urban quarters" (Gunning, 2007: 30). In 1981, al-Jamiyyah al-Jamiyyat al-Shabbat al-Muslimat (Young Women's Islamic Association) was established; this was the genesis of the future popularity of Hamas amongst women (ibid., 30).

In the mid-1970s the Muslim Brotherhood in Palestine reorganized; the branches in the West Bank and Gaza Strip united to form a unified organization with the Brotherhood in Jordan (Jensen, 2009: 15). "The Brotherhood's strategy was to re-islamise [sic] Palestinian society through converting individuals" (ibid., 15). They "believed that an Islamic reawakening could occur peacefully.... [and so] they encouraged individuals to refrain from using violent or revolutionary means" (ibid., 15-16). As the 1970s progressed the Islamists successfully elevated their public profile within the Occupied Territories particularly in the social welfare and educational sectors (ibid., 16). In 1978, Islamists and nationalists worked together to open the first university in the Gaza Strip, the Islamist University of Gaza (IUG), though a power struggle in 1980 resulted in an Islamist takeover of said institution (ibid., 16). Despite the Islamists gains in

these areas their political prestige remained nearly nonexistent as unlike the nationalist PLO, the Brotherhood still refused to partake in any military activities against Israel (ibid., 16). This steadfast refusal to participate in active resistance created divisions within the Muslim Brotherhood and laid the ground work for the emergence of Hamas. The 1979 Iranian revolution had a profound impact on the thinking of many Palestinian Islamists, impressing upon them the potential efficacy of effecting societal change through revolution and resistance rather than slow grassroots social change (Hroub, 2008: 64). While much of the membership of the Muslim Brotherhood in Palestine wanted to adopt a policy of direct confrontation with Israel, the leadership cadre insisted on staying the course with the bottom-up strategy resulting in a number of disgruntled members breaking away to form their own group, Islamic Jihad (ibid., 64; Jensen, 2009: 17).

Islamic Jihad (IJ), like the Muslim Brotherhood, views the Palestinian problem in religious terms; however they believe the "solution to the problem lies in an Islamic war of liberation aimed at establishing an Islamic Palestine" (ibid., 17). Accordingly, IJ commenced a campaign of armed attacks against Israeli military targets in the 1980s that garnered considerable support from a frustrated Palestinian population (ibid., 17). The combination of losing members to a splinter organization, (and the accordant fear of losing further Brothers in the same way), and an acute awareness of the support and prestige that direct resistance had bestowed upon Islamic Jihad, prompted the leadership of the Brotherhood in Palestine (BP) to revisit their stance on armed resistance as an

appropriate strategy (ibid., 18). The summer of 1985 saw an internal debate take place within the BP with the conclusion that a "major shift in strategy" was needed, "and called for preparations – but left the timing of implementation open – for confrontation with the Israeli occupation" (Hroub, 2008: 64-65). The eruption in 1987 of the first *Intifada* provided the opportune moment for the decision to be put in to action, hence the establishment of *Harakat al-Muqawamah al-Islamiyyah* (Hamas), several days into the uprising, as the military arm of the Muslim Brotherhood (ibid., 65).

The first leaflet bearing the name Harakat al-Muqawamah al-Islamiyyah appeared on the Gazan streets on 15 December 1987; though it was not until the fourth such leaflet appeared, the following February, that their connection to the Muslim Brotherhood was made explicit (Jensen, 2009: 18). In addition, the fourth leaflet advocated general strikes on set days, and promoted direct confrontation with Israeli occupying forces (ibid., 18). For the fifth leaflet, the acronym Hamas, the movement's nom de plume thereafter, was adopted (ibid., 18). As Mishal and Sela explain, "the establishment of Hamas... sought to bridge the gap between Palestinian nationalism and Islamism, on the theory that a thrust in the direction of one would hasten the realization of the other" (2000: 42). Almost immediately, Hamas was able to supplant the Muslim Brotherhood and fight "...against the Israeli occupation on an equal footing with the nationalist forces within the PLO (and Islamic Jihad).... precisely because it was not, in fact, a new movement at all. Right from the start, the organization had made use of the Islamist network and the institutions established many years earlier by the

Muslim Brotherhood" (Jensen, 2009: 18). The ascendance of Hamas and their discourse merging Islamism with Palestinian nationalism came into direct conflict with the PLO's claim as the sole, legitimate representative of the Palestinian people (Mishal and Sela, 2000: 43). Initially an arrangement of understanding was reached between Hamas and the nationalist camp, however by the summer of 1988 tension between the two factions was running high as Hamas increasingly presented itself as an alternative to the PLO (Jensen, 2009: 18). At this time, the PLO had begun to express serious interest in participating "...in an international peace conference based on UN Resolution 242, i.e. on recognition of the state of Israel – an initiative that Hamas sharply repudiated" (ibid., 19). It is entirely plausible that the issuing of a 40-page charter, described by Mishal and Sela as an "Islamic platform that blatantly appropriated the PLO's national values, as set forth in its [own] charter, cast in Islamic terminology and the Islamic belief system" (2000: 43), was timed to coincide with, and thus stand in opposition to, this shift in PLO policy (Jensen, 2009: 19). The chief political goal in both movements' charters is the reclamation of Palestine in its entirety through armed struggle; despite the similarity in aims, the character of the two documents is markedly different (Mishal and Sela, 2000: 45). Unlike the secular PLO's charter, which "was clearly formulated in national, civil, and legal terms....Hamas's (sic) charter is anchored in religious principles of holiness, divinity, and eternity. Moreover, it has the characteristics of a comprehensive cultural, social, and moral charter" (ibid., 45).

The Charter of Hamas lays out the movement's comprehensive goals and strategies for the liberation of an Islamic Palestine. However, it goes far beyond being simply a political document, serving also to situate Hamas in the history of Islamic resistance, Palestinian resistance, and to advice constituents on how to comport themselves as 'good Muslims' for the amelioration of a society in pursuit of liberation through Islam. In their own words the "covenant of....HAMAS has taken shape, unveiling its identity, stating its position, clarifying its expectations, discussing its hopes, and calling for aid, support, and additions to its ranks" (O People) The Charter is a forty page document divided in to four chapters and further divided in to thirty-six articles. Its most striking feature is its religiosity, both in terms of theme and language. Across the thirty-six articles there are thirty-three Qur'anic verses cited as well as innumerable quotations from Muslim poets and martyrs dealing with Islamic themes. The Charter opens with a large Qur'anic verse that affirms the status of Muslims as the "best nation" and juxtaposes true believers with those who have turned their back on Allah and are therefore doomed to misery (*preamble*). This is then followed by two separate quotes. The first by Hasan al-Banna, the founder of the Muslim Brotherhood states that Israel will remain until it is "nullified" by Islam. The second, from a Muslim scholar, implies it is every Muslim's duty to help liberate the Islamic world. The main body of the Charter then commences with an introduction, by way of a short prayer, followed by "O People," a section rife with flowery language that serves to announce their arrival as a resistance movement and to tie them to the historical struggle to liberate Palestine. It begins....

From the midst of troubles, from the sea of suffering, from the beats of believing hearts and emasculated arms, out of the sense of duty and in response to the decree of Allah, the call has gone out rallying people together and making them follow the ways of Allah so that they will fulfil their role in life, overcome obstacles, and surmount the difficulties on the way. Our preparation has been constant and so has our readiness to sacrifice life and all that is precious, for the sake of Allah.

Of particular note, besides the ornate language, is the content of the second sentence that states, their readiness to sacrifice life has been constant. This is a clear attempt to appropriate some of the legitimacy earned by the nationalists in their years of direct confrontation with the occupying forces, in which the Islamists strove for bottom-up societal change and avoided direct conflict. In reality, the Islamists willingness to sacrifice life for the cause, or at least their embracement of that as an appropriate strategy, was a relatively new development. Lines such as, "[t]he movement joined hands with all the warriors (mujahidin) who are striving to liberate Palestine.... [t]he souls of its fighters joined all the souls of the fighters who have sacrificed their lives on the soil of Palestine ever since it was conquered by the companions of the Messenger of Allah," serve to entrench Hamas on equal footing with the PLO and IJ as peers in resistance, as well work in a revisionist capacity to insert Hamas into the historical chain of resistance. It also calls out "Jews" as the enemy, saying "our battle with.... [them] is very long and dangerous, requiring the dedication of all of us."

Chapter one, the *Introduction to the Movement*, states unequivocally that their ideological origins are Islam. "The basis of the Islamic Resistance Movement is Islam. From Islam it derives its ideas and its fundamental precepts

and view of life, the universe, and humanity; and it judges all actions according to Islam and is inspired by Islam to correct its errors" (Article 1). Article 2 outlines Hamas' connection to the Muslim Brotherhood, while Articles 3 and 4 state that Hamas is comprised of 'good Muslims' in pursuit of liberation through jihad, and that Hamas is open to all comers of the same "belief and ideology" respectively. Article 5 purports the timelessness and boundlessness of Hamas, as it is based in Islam and applicable wherever Islam is practiced. This is also the first instance where it describes the Qur'an as "its [Hamas'] constitution." Article 6, which falls under the heading of *Uniqueness and Independence*, differs from the previous articles, which have striven to connect Hamas to the other resistance movements that have toiled in Palestine, by stressing its religious character. Article 6 also contains the passage "under the shadow of Islam, it is possible for followers of all religions to coexist in safety and with security for their lives, property, and rights." This passage is of note, as it would seem to suggest that Muslims, Jews, and Coptic Christians could all exist harmoniously in an Islamic Palestine, and avoids the xenophobic rhetoric that is often associated with Islamists, and indeed appears in the next article. Article 7, importantly connects Hamas to Islam's historical conflict with Zionism and infers a direct relationship between the martyr 'Izz al-Din al-Qassam and the Muslim Brotherhood, and therefore Hamas, which is another example of historical revisionism. Article 7 closes with a particularly inflammatory Hadith that foretells of the final battle between Muslims and Jews on Judgement Day in which Muslims will kill Jews until they hide behind trees and stones. Said trees and stones will in turn reveal to the Muslim pursuers that

there is a Jew hiding behind them and invite the Muslim to come kill him, as though nature itself wished the Jews expunged. The final article of chapter one, article 8, is Hamas' motto: "Allah is its goal, the Prophet is its model, the Qur'an is its constitution, Jihad is its path, and death for the sake of Allah is its most coveted desire." Hamas' critics often cite this article as proof of their doctrinaire character.

The second chapter of the Charter of Hamas contains only two articles, focusing on the *motives and objectives* of the movement. Article 9 explains that the plight of the Palestinian people is due to the secularization of society and that the solution to this, and therefore the *raison d'être* for Hamas, is the re-Islamization of society. Article 10 states that Hamas "provides a support for the deprived and a defense for all the oppressed," which is a nod to the social welfare networks they inherited from the Muslim Brotherhood.

Chapter three, *strategies and means*, is of the utmost pertinence to understanding Hamas' position vis-à-vis the potential peace process that was foreseeable on the horizon when the Charter was written. Article 11 states:

The Islamic Resistance Movement believes that the land of Palestine is an Islamic Waqf [endowed] to all Muslim generations until the day of resurrection. It is not right to give up it or any part of it. Neither a single Arab state nor all the Arab states, neither a king nor a president, not all the kings or presidents, not any organization or all of them – be they Palestinian or Arab – have such authority, because the land of Palestine is an Islamic Waqf [endowed] to all Muslim generations until the day of resurrection.

Clearly, this position could not be more firmly stated; for Hamas, any negotiation premised on a two-state solution is out of the question. This is expanded upon in

article 13, which discounts the possibility of a peaceful settlement on the grounds that Palestine is a Waqf, and thus indivisible, and further that Hamas "does not believe that the conferences are capable of fulfilling the demands or restoring the rights of or doing justice to the oppressed. These conferences are nothing but a means of enforcing the rule of the unbelievers in the land of the Muslims." The remainder of the chapter addresses obligations and responsibilities within an Islamic society for the facilitation of Islamic liberation. Article 14 assigns responsibility for liberation to the triumvirate of Palestinians, Arabs, and Muslims, while articles 15 and 16 stress the importance of individual responsibility and educating future generations about their obligation. Articles 17 and 18 speak on the role of the Muslim woman in liberation while article 19 stresses the importance of art. Article 20 and 21 emphasise the need for solidarity within the society, and include in this the notion of looking after the needy, i.e. providing social welfare programs. The concluding article (22) of chapter three, *The* Powers That Support the Enemy, vacillates between paranoia, xenophobia, and fear mongering, in the creation of a conspiracy theory to explain how Zionists run the world to the detriment of Muslims. Furthermore it alleges that "the enemy" [Zionists] caused the French Revolution, the Communist revolution, and most other known revolutions, controls the worlds media, and has formed secret organizations such as the Rotary Club and the Lions Club in order to "destroy societies and promote the Zionists' interests." Even more outrageously, it asserts that the Jews were behind the outbreak of the First and Second World War, even suggesting that they derived "huge profits from trading war materiel."

It goes on to say that "the capitalist West and the communist East support the enemy [Zionists] with all their might" asserting that "when Islam is on the rise, the forces of unbelief unite to confront it, because the nation of the unbelievers is one."

Chapter 4, Our Position on [the Following], as the title suggests, sums up Hamas' position and calls on various relevant parties to contribute and lend assistance where they are able. Across the final thirteen articles Hamas expresses solidarity with all other groups working in aid of Palestinian liberation be the nationalist or Islamic – expressing special kinship for the PLO. While they call for unity within the liberation movement, they reserve the right to speak out against actions or policies with which they disagree and they admonish secularists for being misled in their approach. They further call for support from the Arab states, and relevant associations, as well as appealing to all Islamist intellectuals to fight with the pen in the cause of Palestinian liberation. As the chapter draws to a close Hamas professes a respect for human rights and reiterates that all other religions are free to live safely "under the shadow of Islam." It concludes with a brief summation, including of the long historical conflict between Islam and Zionism, and an assurance that Hamas is not pursuing this struggle for personal glory and consequently will support any individual or group that embraces Islam in the pursuit of Palestinian liberation.

# 3.2 Hamas from Intifada to Intifada – A Progressively Pragmatic Modus Operandi

As Hamas moved forward from the issuance of its charter and continued to evolve into an organization with an ever expanding scope that included a large social welfare network, an active resistance wing, and eventually, political aspirations, it was clear that it would need to go beyond the dogmatic rhetoric to attempt to fulfil its objectives. Over the next twelve years, Hamas' actions showed evidence of cost-benefit analysis on how best to achieve practical outcomes for the organization and for all Palestinian people, whom they wished to be perceived, both domestically and internationally, to represent.

From 1988 onwards, with the proclamation of their charter that co-opted Palestinian national values with Islamist dogma, Hamas was rapidly positioning itself as a political alternative to the PLO (Mishal and Sela, 2000: 46). Hamas further staked its claim to represent all Palestinians by attending to a wide range of social issues relevant to its constituency, signalling the movement was as adept at handling the day-to-day concerns as issues of national importance (ibid., 46). Striking a balance between "secur[ing] a dominant public position through a commitment to advance particular Palestinian national interests and, at the same time, maintain[ing] an adherence to Islamic dogma" has been a constant challenge for Hamas (ibid., 47). Meeting this challenge requires a degree of flexibility and pragmatism that is not readily evident in the language of their Charter (48). However, they have been able to deftly justify a transition from an "unrealistic" attitude to a more pragmatic approach to their followers both on normative grounds (ibid., 48) and by evoking the religious concept of sabr (self-

restraint or patience) which implies a temporary acceptance of a non-ideal circumstance in the belief that "true believers will eventually prevail" (ibid., 64). The development of Hamas must be understood in the context of the political environment in which it has always existed: "a rival at home" in the form of the PLO (and later PA) and "an enemy outside" in the form of Israel (48). It is in negotiating its way between these two overlapping spheres that any maturation of Hamas has occurred.

Events in 1988, including the initiation of a dialogue between the United States and the PLO in December, indicated to Hamas that the PLO was well on its way to becoming an "equal partner in the Middle East peace process" (ibid., 49). Fearing this development could marginalize Hamas, and place their continued existence at risk, the movement undertook a propaganda campaign "invoking deep-rooted Islamic symbols and beliefs" to undermine the PLO's diplomatic efforts to achieve a two-state settlement (ibid., 49). More effectively, Hamas challenged the PLO by reviving the ethos of the armed struggle against Israel, combined with continued civil revolt in the occupied territories, as a vehicle of political mobilization that would avert any serious Israeli-Palestinian peacemaking" (49-50). Though Hamas condemned the PLO for their willingness to recognize Israel at the expense of abdicating much of Mandatory Palestine, they were also acutely aware of their own limitations; therefore based on costbenefit analyses, *jihad* took a backseat to political considerations (ibid., 50). Under the supervision of Ahmad Yasin, the movement's initial Intifada activities included using strike groups to carry out daily activities "such as blocking roads,

throwing stones, writing slogans and directives on walls, and enforcing Intifada directives on the population, including work strikes and not working in Israel" (ibid., 55). Yasin also directed followers to use guns against Israeli soldiers, though they should ensure not to be identified as Hamas members, as the young organization would not survive serious repression (ibid., 55).

Hamas' comprehensive embrace of strategic violence was necessitated by its competitive relationship with other nationalist Palestinian groups who were already using violence in their struggle against Israel (ibid., 57). Due mainly to their lack of capacity, Hamas mounted just ten militarized operations in the Gaza Strip in the fist year of the Intifada, "including shooting at Israeli military patrols and civilian transportation... and the use of 'roadside charges' against Israeli vehicles" (ibid., 57). However, in year two, after having focused on weapons acquisition and training, Hamas carried out thirty-two operations in the Gaza Strip, the West Bank and Israel proper, including two separate instances of kidnapping and murdering Israeli soldiers (ibid., 57). After a violent clash in the Temple Mount compound on October 8<sup>th</sup>, 1990 in which Israeli police killed seventeen Palestinians, Hamas called for "jihad against the Zionist enemy everywhere, in all fronts and every means" (ibid., 57). This resulted in a steep increase in knife attacks against Israeli soldiers, police, and civilians by Palestinians who were unaffiliated with Hamas; the thirteen Israelis killed in this manner in the ensuing five months indicates the level of resonance Hamas' words carried with much of the Palestinian population (ibid., 57). Hamas in turn showed receptiveness to the needs and plight of the Palestinian people as

evidenced by their rhetorical shift from calls for a total economic boycott of Israel to softer calls for temporary strikes or boycott of Israeli products where Palestinian substitutes were readily available that indicated an awareness and concern for the averse effects holding true to their initial calls would have caused (ibid., 60-62). Hamas' promotion of mass confrontation with Israeli forces remained consistently high, as its leaders were acutely aware of the benefits associated with the generated media attention (ibid., 62). The Israeli government's heavy-handed response to the Palestinian uprising drew stern criticism from the world media and various luminaries from countries traditionally friendly to the Jewish state (ibid., 62). Equally important, "many Israelis perceived their country's occupation as morally indefensible, socially deleterious, economically ruinous, and politically and militarily harmful" spurring the government to start looking for political rather than military solutions to the Intifada (ibid., 62).

In response to continued repression and arrests of its prominent members, including Ahmad Yasin, in the early 1990s Hamas began the transformation that would culminate in its metamorphoses into a political party with the creation of its designated militarized wing, *Kata'ib al-Din al-Qassam* — the Qassam Brigades, (Mishal and Sela, 2000: 64-65; Jensen, 2009:19-20; Hroub, 2008: 65). In October 1991, PLO leader Yasser Arafat represented the Palestinians at the Madrid peace conference; a move objected to by Hamas both on religious grounds and because the terms for Palestinian participation were too limiting to achieve any positive results (Jensen, 2009:19). As Madrid failed to

deliver, and the Qassam Brigades carried out ever more brazen attacks, the prestige of Hamas grew vis-à-vis the PLO (Jensen, 2009: 20; Mishal and Sela, 2000: 65). This, along with increasingly frequent criticism by Hamas of the PLO, created severe tension between the two movements and led to the eruption of small skirmishes between the groups' respective members (ibid., 20). Wishing to create Palestinian solidarity and prevent the resistance from being weakened by internal fractures negotiations were commenced to incorporate Hamas into the PLO, though talks broke down over the level of representation Hamas would receive in the Palestinian National Council (PNC) (ibid., 20). In spite of this, the two movements agreed "the power struggle between them had to take a peaceful form" as their self-destruction would only benefit their common enemy – Israel (ibid., 21).

In June 1992, Yitzhak Rabin's Labour government came to power in Israel bringing new hope for a renewed Middle East peace process (Mishal and Sela, 2000: 65). The Oslo Accords commenced in 1993, and in September, the Declaration of Principles (DOP) was signed between the government of Israel and the PLO (Hroub, 2008: 65; Mishal and Sela, 2000: 66). The DOP officially ended the Intifada – the PLO agreed to cease hostilities against the state of Israel, "a commitment to be imposed by the future self-governing Palestinian Authority (PA) in the occupied territories" (ibid., 67). Hamas was staunchly opposed to the terms of Oslo, not simply on religious principle but also because it failed to meet the basic tenants of resolution 242 – the withdrawal of Israel to its pre-1967 borders (ibid., 67-69). This explicitly illustrates the rhetorical distance

Hamas had travelled since penning its charter, which declared all of historic Palestine an Islamic Waqf. In five years, Hamas' rhetoric had gone from demanding the total liberation of all of historic Palestine to objecting to Israel not withdrawing from the Occupied Territories. The creation of the PA further complicated Hamas' already difficult existence as their Palestinian rivals were now authoritatively tasked with ensuring no violence against Israel emanated from the territories (ibid., 68). A total abandonment of its jihad against Israel would mean the end of the movement, however the prospect of Palestinian civil war was equally abhorrent. Therefore in May of 1994 a deal was reached between Hamas and Fatah that "the two sides would refrain from both verbal and violent disputes" (ibid., 68). Hamas continued to spread propaganda that attacked the validity of the DOP but became much more judicious with its use of violence, being careful to justify its actions as retaliation or vengeance for Israeli transgressions such as the February 1994 massacre at the Cave of the Patriarch in Hebron committed by a Jewish settler (ibid., 69). This adjustment was best explained by Mahmud al-Zahar, a prominent Hamas member in the Gaza Strip:

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

Zahar's words clearly show how Hamas' actions are rooted in the 'reality on the ground' as opposed to being dictated by ethereal religious beliefs. Strategies are adopted based on their expected utility and a pragmatic emphasis on practicality

is exhibited. Zahar's acknowledgement of the possibility of a long-term truce with Israel is a notable progression from the Hamas' charters' call for eternal struggle against the Zionist state, borne from the considered realization that perpetual strife does not alter the reality of Israel's existence.

The Oslo Accords were meant to pave the way for a Palestinian state in the West Bank and the Gaza Strip that never materialized. The year 2000 eruption of the second Intifada is seen as the final nail in the coffin of the Oslo Accords and signalled the total failure of the associated 'peace process' (Hroub, 2008: 66). The magnitude of this failure is evidenced by the two-fold expansion of the settlements in the West Bank in the five years that followed the signing of the Oslo Accords instead of being dismantled as they were supposed to be under the terms of the DOP (ibid., 66). To the benefit of Hamas, the process upon which the PLO had staked their reputation (and legitimacy) had tangibly worsened the situation of the Palestinian people in almost every respect (ibid., 66). For example, the standard of living in the Gaza Strip fell 25 percent in the first six months after the Accords went in to effect, in part due to rising unemployment (Gold, 2006: 40).

The second Intifada made clear that the mantle of resistance had unmistakeably passed from the PLO to Hamas. The modus operandi of the second Intifada quickly shifted from a "popular revolt" to a "significantly more militarised conflict" fuelled by the frustrations of a Palestinian public suffering from poverty and high unemployment (Jensen, 2009: 37-38). A survey taken in late 2001 indicated for the first time since the signing of Oslo more Gazans

supported Hamas than Fatah (Jensen, 2009: 38), indicating "the days when the PLO enjoyed an exclusive monopoly over Palestinian legitimacy are over" (Hroub, 2008: 71). The violence of the second Intifada was typified by the frequent attack on Jewish settlers in the West Bank by groups of secular and Islamist Palestinians, Hamas' use of suicide bombers in Israel proper, and their development of the so-called "Qassam rockets" – small munitions which were launched from the Gaza Strip into Israel (Jensen, 2009: 37).

After the September 11<sup>th</sup> 2001 terrorist attacks in the United States, Hamas came under greater pressure as a result of America's renewed focus on Islamist organizations and Hamas' inclusion on Washington's list of terror organization (ibid., 38). In 2003, the EU bowed to Israeli and American pressure to include Hamas in its entirety –as opposed to just its military wing (the Qassam Brigades) – on its list of terrorist organizations and greater pressure was exerted to dissolve the organization, including the closing of fifty mosques and the freezing of assets of a further twenty-five (ibid., 39). This move made the predicament of the Palestinian population still more dire as the need for social service provision was at an all time high and the PA lacked the resources and know-how to fill the gap. The suicide bombing campaign continued in earnest with the goal of "intimidat[ing] the Israeli population by making sure that the occupation [would] have consequences for each and every individual Israeli citizen" (ibid., 40). It was hoped that the citizenry would then in turn pressure their government to withdraw from the occupied territories (ibid., 40). The Israeli Defense Force (IDF) instead responded by assassinating key members of the

Qassam Brigades and in 2003 they expanded to targeting Hamas' political leaders (ibid., 41). In March of 2004 the IDF assassinated Hamas' leader Sheik Ahmad Yasin, and in April his successor Abdel Aziz Rantisi was also killed (ibid., 41). Hamas released a statement vowing revenge and stating that Israel had "opened the gates of hell," though surprisingly little if any attributable fallout ensued (ibid., 41). This was partially due to the disorganization within the movement caused by the loss of their leader(s) (ibid., 41), and partially due to a gradual shift in strategy that was emanating out of the perpetual cost-benefit analysis that is inherent to Hamas' decision-making process. On the one hand, Hamas calculated that the organization would not likely survive continued escalation with the IDF, and on the other, internal discussions had already begun on shifting the organization's strategy from armed resistance to political participation.

During the second Intifada, Hamas' internal discussions on the theme of "resistance vs. political participation" greatly intensified (ibid., 145). These discussions had originated in 1992 as Hamas debated how best to proceed in anticipation of the likelihood of an accord between the Israeli government and the PLO leading to some form of democratic Palestinian self-governance (Mishal and Sela, 2000: 120-134). In November 1995, Hamas made public its decision to boycott the forthcoming PA Council elections, making careful mention of the fact that it was not opposed to elections in principle, but could not participate in elections that would be seen to validate an agreement (the Oslo Accords) that they opposed (ibid., 135). For the first few years of the second Intifada,

resistance was the dominant strategy, but "from 2003, Hamas leaders actively sought to de-escalate the conflict with Israel by declaring, and keeping, unilateral ceasefires" (Hovdenak, 2009:62). This shift in policy was in response to an increasing sentiment amongst the Palestinian public that blamed Hamas attacks for the retaliatory attacks launched by Israel (Gunning, 2007: 156). Hamas strove not to alienate their potential electorate and made tactical adjustments accordingly. As Klein notes, "in practice, Hamas' leadership has deferred to public opinion in the interpretation of the national interest" (2007: 444).

In 2004, "after a couple of years of intense military conflict with Israel, which was getting increasingly unpopular and increasingly costly for Hamas, the movement opted for participation" (Jensen, 2009: 145). This was the ultimate manifestation of Hamas' aforementioned internal debates on whether or not to become actively involved in political participation. The organization weighed the benefits of joining the political system, which potentially included elevating its prestige and preventing its political marginalization, proving its popular support, and yet again challenging the PLO's claim to be the sole representative of the Palestinian people, against the possibility of lost prestige if Hamas faired poorly in elections, or was perceived to be selling out its principles, religious or otherwise (Mishal and Sela, 2000:122-130). In 1995, Hamas concluded that its political participation at that time would be an endorsement for the Oslo Accord as the elections were a direct result of that process. However, after the second Intifada, the Oslo Accords were widely acknowledged to be defunct and therefore political participation would no longer be associated with it.

In 2004 and 2005, Hamas ran candidates in municipal elections in the West Bank and the Gaza Strip under the banner 'Change and Reform' and won the majority of seats in several key cities including Nablus, Jenin, and Qalqilya in the West Bank, and Deir al-Balah and Beit Hanoun in the Gaza Strip (ibid., 146). Their electoral success is attributable in a large part to Hamas' social welfare networks with which many of the candidates had a direct association (ibid., 146). Being cognizant of the fact that they were elected based on their track record in the community rather than on an Islamist platform the successful candidates have generally focussed on "themes such as good governance, economic development, and personal and social security leaving specifically religious issues and the conflict with Israel to the background" (International Crisis Group, 2006: i). Encouraged by their electoral victories at the local council level, Hamas decided to contest the 2006 elections for the Palestinian Legislative Council (PLC).

#### 3.3 From Resistance to Governance:

As discussed in the introduction to this paper, in January 2006, under the banner "Reform and Change," Hamas ran a list of candidates for the Palestinian Legislative Council and won an impressive 74 of the 132 parliamentary seats. Over the course of Hamas' near twenty year existence, the organizations' "discourse and practice [had] evolved from rhetorical and ideological in tone to more pragmatic and political" (Hroub, 2008: 69). This was particularly evident in the electoral platform of "Reform and Change," which was a major departure from the elevated language and religious imagery of Hamas' Charter, instead focusing on concrete political issues (ibid., 70). Gone are the constant Qur'anic quotes and calls for armed resistance, and even the goal of establishing an Islamic state (Klein, 2007: 450). These differences "are a product of a change and modification of lines of thought as a part of the process by which Hamas has become a political movement" (ibid., 450). As explained by Jamal Iskaik, a PLC member from the Gaza Strip, Hamas "decided to participate in the political game to show the world that we are not a terrorist organization... [and to] give the international society a chance to understand our conflict through dialogue" (Hovdenak, 2009: 68). Through a combination of internal dialogue and debate, cost benefit analysis, and political learning, Hamas has shifted from an ostensibly dogmatic resistance movement to a political party that exhibits a high level of pragmatism, political savvy, and responsiveness to its constituency. Furthermore, Hamas' change in rhetorical tone reflects an understanding of how

the organization has largely been perceived in the international community and indicates a desire to move past that perception to be taken seriously as a bona fide political body.

Almost immediately the nascent government faced steep challenges — they lacked parliamentary experience, the incumbent Fatah members refused to cooperate, and the Israeli government withheld taxes they had collected on behalf of the PA (ibid., 70). Even more problematic, they faced international sanctions to be applied by the US-led Quartet if they refused to give in to a trio of demands, namely, to officially recognize Israel, renounce the use of violence, and accept all past Israeli-Palestinian agreements (ibid., 60). The ultimatum from the Quartet put Hamas in an unenviable position; stand pat and risk financial and political isolation, or bow to the Quartet's demands, lose much of their hard-earned political credibility and cause internal divisions that would almost certainly lead to the collapse of the movement (ibid., 70). Although Hamas opposed these conditions, they maintained a willingness to discuss them. Their main objection was the inequity of placing conditions on Hamas that Israel was not expected to observe; as one Hamas legislator iterates:

The international community asks us to stop using violence, but Israel doesn't stop [using violence]; it asks us to recognize the Israeli state, but Israel doesn't recognize our right to a state. It asks us to comply with previous agreements, but Israel violates them every day. We would respect it if the Quartet had asked us both to comply with these demands – but they are demanding it from us, the weaker party, only (ibid., 71)

Hamas opted not to meet the Quartet's demands, however they authorized the PLO and the PA president Mahmoud Abbas to negotiate a peace agreement with

Israel based on a two-state solution, and vowed to 'respect' past Israeli-Palestinian agreements (ibid., 60). Regardless of these conciliatory measures the Quartet chose not to reward Hamas' pragmatic steps and enforced sanctions that suspended all economic and diplomatic contact with the Hamas-run Palestinian government (ibid., 70).

Despite the adversity, Hamas by most accounts attempted in earnest to form a government. After intensive negotiations with Fatah in February 2007, Hamas and Fatah agreed to form the National Unity Government (NUG) which pledged to "respect previous Israeli-Palestinian agreements" (Hovdenak, 2009: 74). Once again Hamas had acted pragmatically, recognizing the need to work with Fatah both to avoid dividing loyalties among the Palestinian population and in hopes of further placating the international community by proving they could co-operate with their rivals. Regardless of this notably positive step, international sanctions remained and by June the NUG collapsed as "Hamas overran PA security forces and established full control over the Gaza Strip" (ibid., 74). Hamas contended the offensive was a defensive response to a "secret collaboration between Fatah-loyal security forces and the US preparing to crack down on Hamas" (ibid., 74). Whatever the case, the opportunity to evaluate Hamas' democratic credentials was essentially lost at that point.

The government of Israel remains vehemently opposed to the idea of including Hamas in a political framework, however it appears that the same it not necessarily true of the Israeli public (Zuhur et al, 2008: 9). In 2008, a poll conducted by *Haaretz* newspaper indicated "that 64% of Israelis were in favour of

negotiations with Hamas over a [potential] cease-fire and prisoner exchange" (ibid., 9). This indicates, at a minimum, that the Israeli public is willing to "deal with Hamas on some level and recogni[zes] that without Hamas's [sic] participation, very little progress can be made " (ibid., 9). Furthermore, since 2006, Hamas has overtaken the PLO and PA as voice that speaks for the majority of the Palestinian people. It goes without saying that "any process that is to go ahead and conclude in a peace deal... has to be 'legitimized' and approved by the Palestinians. Since January 2006 and Hamas' victory in the Legislative Council elections, it is inconceivable that any partisan consensus or referendum toward an agreement can proceed without the endorsement of Hamas" (Hroub, 2008: 71).

### 3.4 Reflecting on Hamas in light of Stedman

Having closely examined the Islamist resistance movement Hamas, from its historical roots, to its inception during the first Intifada through to its genesis into a bona fide political party that participates openly in democratic politics we must now revisit Stephen John Stedman's *spoiler typology* to evaluate whether indeed Hamas is a *total spoiler* as they are widely perceived or if the label of *limited spoiler* is a more accurate designation given their record of flexibility and pragmatism. Stedman defines *total spoilers* as those "who pursue total power and exclusive recognition of authority and hold immutable preferences" (1997: 10). In other words, groups who fit the total spoiler profile see the world in "all-ornothing terms" and therefore lack the pragmatism necessary for making compromises or altering their ultimate goals. Naturally this makes them

incompatible for inclusion in peace processes. Therefore, the use of force or the threat of exclusion are the only two appropriate strategies for managing total spoilers (ibid., 15). Given this description, the Quartet's issuance of an ultimatum, and subsequent continued exclusion of Hamas in all negotiations is an appropriate strategy if Hamas is indeed a total spoiler.

As previously mentioned the classification of Hamas as a total spoiler is often attributed to their Islamist platform and the assumption that Islamist organizations are by definition dogmatic and incapable of ideological flexibility. However, as the case study of the Egyptian *Wasat* party clearly illustrates there is no inherent inconsistency between a party having an Islamist platform and yet still being highly capable of pragmatism and working co-operatively with other groups of varying beliefs in a democratic setting. Furthermore there are numerous other examples across the Middle East and North Africa of Islamist parties who have moderated their rhetoric, tactics, and goals over time due to political learning; a similar pattern can be observed in the history of many Christian based parties across Europe and elsewhere. In short, a religious foundation, whatever that religion may be, does not preclude the possibility of ideological flexibility or necessarily enhance the likelihood that a given group will try to subvert the system once they gain office.

Returning to Stedman, a limited spoiler is defined as a group that has limited goals such as "recognition and redress of a grievance, a share of power or the exercise of power constrained by a constitution and opposition, and basic security of followers" (1997: 10). In other words, though a limited spoiler may be

totally dedicated to achieving their goals, they are capable of a level of pragmatism that makes compromise and accommodation a possibility in a negotiated peace process.

In 1988, Hamas published their foundational charter which outlined their immutable goal of liberating "every inch of Palestine" (Article 6), through any and all means. The charter is replete with dogmatic and xenophobic language that gives no hint of a capability or willingness to compromise on the movement's raison d'être – the complete liberation historical Palestine and the nullification of Israel. However, Hamas' rhetoric and actions since then have become increasingly disparate from its foundational charter. Almost immediately Hamas showed evidence of pragmatism, choosing its strategies based on a constant cost-benefit analysis rather than a blind adherence to religious doctrine. Particularly since the early-2000s, Hamas has increasingly pursued non-violent political participation in response to signals from the Palestinian public that this is what they want. Hamas has proposed and honoured cease-fires, run successful election campaigns, and even at times worked in co-operation with its secular rivals. In a drastic departure from the doctrinaire nature of Hamas' charter, Mashour Abdel Halim, Hamas' leader in the Bourj el-Barajneh camp in Beirut recently situated Hamas in the same liberalist tradition of Islam that the founders of the Wasat party drew upon when launching their movement, that includes the notion of ijtihad – that is, the use of logic and reason to interpret the Qur'an for modern times (Hovdenak, 2009: 64).

The transformation that Hamas has undergone in its twenty-three year history is truly substantial. From calling for a total liberation of all of historical Palestine in its charter to publicly calling for a long-term cease-fire and a peace settlement that includes a Palestinian state adjacent to an Israeli state within its pre-1967 borders is a remarkable progression. Furthermore, its pragmatism and respect for the public will, indicates that the title of limited spoiler is a more appropriate description of Hamas' expected behaviour if included in a future peace process.

#### 3.5 Conclusion

Given the apparent transformation Hamas has undergone since 1988 when it released its foundational charter there is reason to believe that Hamas could be induced to be a vital partner in the Middle East process provided the Quartet, or whichever international custodian attempts to broker a future peace deal, takes a balanced approach and applies the same measures to the Israeli and Palestinian side. In other words, Hamas would likely be willing to compromise and negotiate on many issues as long as it did not feel it was the *only* one being asked to compromise. What is certain is that any attempt at peace that does not include Hamas, a movement that has proven at the ballot box that it has the support of the majority Palestinians living in the Gaza Strip, and has played the role of total spoiler in the past, is doomed to failure. Furthermore, the Quartet's strategy of ultimatum and sanctions is inappropriate for managing a limited spoiler. At this time, a reassessment of Hamas as a 'limited spoiler' and an accordant adjustment in strategy, from exclusion to

dialogue and inducement is necessary for any hope of a future resolution to prevail.

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