

## CF Briefing Paper #3

From Rebel Movement to Political Party:

The Case of the Islamic Resistance Movement

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The view held by many in the West that transformation from an armed resistance movement to political party should be linear, should be preceded by a renunciation of violence, should be facilitated by civil society and brokered by moderate politicians has little reality for the case of the Islamic Resistance Movement ( Hamas ). This is not to suggest that Hamas has not been subject to a political transformation: it has. But that transformation has been achieved in spite of Western efforts and not facilitated by those efforts. While remaining a resistance movement, Hamas has become the government of the Palestinian Authority and has modified its military posture. But this transformation has taken a different course from the one outlined in traditional conflict resolution models. Hamas and other Islamist groups continue to see themselves as resistance movements, but increasingly they see the prospect that their organizations may evolve into political currents that are focused on non-violent resistance.

Standard conflict resolution models rely heavily on Western experience in conflict resolution and often ignore the differences of approach in the Islamic history of peace-making. Not surprisingly, the Hamas approach to political negotiation is different in style to that of the West. Also, as an Islamist movement that shares the wider optic of the impact of the West on their societies, Hamas has requirements of authenticity and legitimacy within its own constituency that bear on the importance attached to maintaining an armed capability. These factors, together with the overwhelming effect of long term conflict on a community's psychology (an aspect that receives little attention in Western models that put preponderant weight on political analysis), suggests that the transformation process for Hamas has been very different from the transformation of arms movements in traditional analysis. In addition, the harsh landscape of the Israeli – Palestinian conflict gives the Hamas experience its special characteristics.

Hamas is in the midst of an important transformation, but the political currents within Israel, and within the region, make the outcome of this transformation unpredictable. Much will depend on the course of Western policy (its "Global War on Terror") and how that policy effects revivalist Islamist groups such as Hamas, groups that are committed to elections, reform and good-governance. This briefing paper explores Hamas's transformation, and suggests ways for the West

to engage the group as perhaps the last remaining way of resolving the Israeli-Palestinian conflict.

## I.

### The Establishment of the Islamic Resistance Movement

The origins and leadership of both Fateh and of Hamas derive from the Muslim Brotherhood of Egypt. Established by an Egyptian school teacher and his associates in the early 1930s, the Egyptian Muslim Brotherhood was an overtly political movement initially opposed to colonialism and the Western imposed monarchy. By the 1930s, however, the Palestinian question was becoming a key issue for ordinary Egyptians as well as for the Brotherhood. The first Palestinian Brotherhood branch was established in Gaza the mid-1930s by the scion of the leading and wealthiest family in Gaza -- the al Shawwa family. (The Muslim Brotherhood had already sowed similar "establishment" connections in Jerusalem by virtue of its close links with Haj Amin al Husseini, and when its office opened in Jerusalem in 1948, all the local notables attended). Secular nationalists of every stripe founded parallel movements, although Palestinians not normally considered Islamists viewed the Brotherhood as one of the premiere home-grown movements capable of fighting Israel. Yasser Arafat, for instance, was not a member of the Muslim Brotherhood (he was in the Arab Nationalist camp), but most of the key founders of Fateh, such as Abu Jihad and Abu Iyad were originally Brotherhood members. The 1948 war that resulted in the establishment of Israel, split the Palestinian Muslim Brotherhood. With the annexation of the West Bank by Jordan, the Brotherhood there adopted an essentially political and educational ethos and became a form of "loyal opposition" to the King. In Gaza, on the other hand, certain groups within the Brotherhood developed vestiges of military resistance. In parallel, secular nationalist movements were being established in Lebanon in the shape of the Popular Front for the Liberation of Palestine and the Democratic Front for the Liberation of Palestine -- the PFLP and the DFLP, respectively. (We note: it was against the secular resistance of the PFLP in Lebanon rather than the Islamist Muslim Brotherhood that Ariel Sharon mounted his punitive raids into Gaza in the early 1970s.)

From the early 1950s until the early 1980s the Muslim Brotherhood eschewed military activity and increasingly and exclusively focused on education and charitable work. This emphasis on good works became so dominant that the political strand almost disappeared from the Brotherhood's work. In the period leading up to 1956, Muslim Brotherhood military operations virtually ceased. There were however two attacks in the early 1950s, mounted by Abu Iyad, one of the celebrated founders of Fateh. In the period 1956 to 1957 with the Israeli

occupation of Gaza (which lasted for four months), two different approaches emerged amongst the national forces for dealing with the occupation: while the Palestinian Communists called for passive resistance against the occupation, Abu Jihad, together with some other Muslim Brotherhood colleagues, formed an illicit military cell and proposed to the Brotherhood leadership a strategy of armed struggle against the Israelis. The Brotherhood vetoed the idea and opted to maintain their organizational focus on education and charitable work. Disenchanted with the Brotherhood's decision, Abu Jihad, Abu Iyad and a number of their colleagues began to consider forming a separate organisation -- a movement that would have no visible Islamic coloration and that would have its goal of liberating all Palestine through armed struggle. In 1958 these former MB associates established the National Resistance Movement -- or Fateh -- together with former Ba'athists such as Farouk Kadoumi, political nationalists like Yasser Arafat and members of Takrir. After a few years, Fateh broke away from the Brotherhood.

The period following 1967 until the early 1980s was dominated by Fateh as the central organization and motive force inside the Palestinian Liberation Organization. Fateh and the PLO's major political strategy tapped into secular nationalist currents: Fateh was not explicitly secular, but it was also only implicitly, rather than explicitly, Islamic. By the late 1970s and early 1980s, however, Fateh and the PLO were showing no success in arriving at a political resolution of the Israeli-Palestinian conflict, despite their enormous success at building an internationally recognized organization and carrying through a number of spectacular military operations. Arafat, the central figure in both Fateh and the PLO, was signalling a readiness for compromise on the Palestinian state as early as 1973. Not only was little headway made by these openings, Arafat and the leadership's pursuit of such an opening sparked deep scepticism inside the Palestinian national movement, and popular disaffection inside of Fateh. This disaffection was most manifest during the Iranian revolution of 1979, when Iranian and Palestinian revolutionaries launched street protests against PLO leaders viewed as acquiescing to Israel's existence and when the first signs of widespread dissent with a more moderate approach to Israel became obvious in both the West Bank and Gaza.

After 1979, a fresh generation of Palestinian leaders who were inspired by the revolutionary thinking and political model provided by the Iranian revolution (and who were also increasingly disenchanted with the Palestinian communist and secular parties), began to emerge. The Palestinian wing of the Muslim Brotherhood sensed this shift and began to mobilise in the schools, mosques and universities in Gaza and the West Bank. Fateh perceived this new activism as unwanted competition and clashes between the two movements, though quickly dampened, began. This was a time of Israeli occupation and growing military repression in both the West Bank and Gaza. As popular resentment of the Israeli occupation grew, pressure was exerted on Palestinian movements to react militarily to the Israeli challenge. Even so, the Palestinian Muslim Brotherhood

leadership responded to this popular clamour by preaching patience -- and maintaining its insistence that the movement should persevere with its programme of good works. This line outraged many Hamas members and strengthened Fateh's claim as the lead organization of the Palestinian revolution. The Palestinian Muslim Brothers, especially those younger Hamas members in Gaza and the West Bank, demanded something more than Friday sermons and looking after the poor and the orphans and began to exert pressure on the staid Muslim Brotherhood leadership. What these activists wanted was a more effective and public response to Israel. At first the Muslim Brotherhood leadership relented, but only to the extent that student demonstrations were permitted. This was not enough, and the perceived failure of the Muslim Brotherhood inspired a leading Muslim Brotherhood activist, Gazan Sheikh Ahmad Yassin, to contemplate a break with the direction and policy of the parent organization.

At the same moment, the Muslim Brotherhood was shaken by a significant schism: Brotherhood members, influenced by the ideals and fervour of the Iranian revolution, broke away from the movement to form Islamic Jihad. The split presented the Palestinian Muslim Brotherhood with the pressing question of how to deal with the increasingly aggressive Israeli occupation. Its response was threefold: the formation of a cell structure, the beginnings of widespread passive resistance and a commitment to military action. Under the guidance of Yassin, these three programs were put in place and the first military cells were established no later than 1987. This period (from 1984 to 1987), represented a radical shift in ideology -- a copying of the policy of armed resistance originally espoused by those Brotherhood members who had formed Fateh. In short, the Brotherhood had resisted the early internal pressures towards armed struggle, had disassociated itself from the Brothers who founded Fateh, and even ignored the second breakaway of a faction (Jihad) -- but the impact of the Israeli military occupation on the lives of the Palestinians which ultimately led to the Intifada inevitably gave birth to the Islamic Resistance Movement. The transformation was now complete, and Hamas was formed in 1987.

## II.

### The Military Strategy of the Islamic Resistance Movement

Initially Hamas conceived its military response to the growing challenge of harsh Israeli military occupation (the "iron fist"), in terms of guerrilla resistance (primarily insurgency tactics), against the Israeli army occupying Gaza and the West Bank. The military wing of Hamas in the period 1987 to 1992 did not use suicide bombers and pursued a course of widespread passive resistance and street confrontations with the Israeli military. This program of confrontation and building the organization was followed throughout the first Intifada. The use of more organized armed resistance began during the second Intifada, and was confined largely to it. Moreover, the use of suicide bombings only began after an Israeli settler, Baruch Goldstein, opened fire on the congregation of the Ibrahimi

Mosque in Hebron killing many Palestinian civilians. Up to this point, Hamas had refrained from attacks that could be considered random -- or that purposely targeted civilians.

More specifically, the use of suicide bombings, which became so prominent during the Second Intifada, was used by Islamic Jihad, Hamas, as well as Fateh, as a response to the Israeli military invasion of the Palestinian area "A," which until early during the uprising had been under exclusive Palestinian Authority control -- and perceived to be inviolable. It is now clear, if Israeli forces had not invaded area "A," none of the three major Palestinian movements would have adopted suicide bombing as a tactic. The objective of the bombings, an objective shared by the leadership of all movements, was to demonstrate to Israel that if Israel attacked Palestinian villages and cities in Area "A," then Palestinians would respond by attacking Israeli cities. The use of the suicide attacks proved popular with the Palestinian public, though in one sense the tactic turned out to be too popular: Tanzeem (Fateh) leaders told this author during the Second Intifada that Fateh had hoped to capitalise on this popularity in order to wrest popular opinion away from Hamas. But as the Fateh leader admitted, they found that despite working in joint units they had lost control of both the tempo and the targeting of attacks -- thereby provoking the overwhelming Israeli response they had sought to avoid.

At the end of the Second Intifada, Hamas participated in efforts to deescalate the violence and, in 2003, initiated (in conjunction with Islamic Jihad), a unilateral ceasefire -- or "*hudna*." When this ceasefire was first under discussion with Egyptian officials in Cairo, in 2002, Hamas responded affirmatively to a query on whether they would agree to remove civilians from the conflict. This response was passed to both American officials and to Israel. After shuttling between American and a senior Israeli official in different locations in Cairo, the definition of who would be removed from the conflict was specified and a larger agreement to end violence targeting civilians seemed likely. However, Israeli Prime Minister Sharon rejected the proposal. In all, Hamas proposed to remove civilians from the conflict on three separate occasions. All three proposals were rejected by Israel.

### III.

#### The Political Strategy of the Islamic Resistance Movement

The Hamas Charter of 1988 was dominated by Islamist discourse and a mix of language that reflected what was then seen as a struggle between Islam and Judaism. But the Charter is also couched in terms of a "jihad" -- as purposely designed to prevent "infidels" from occupying Islamic lands. The Charter calls for armed struggle to liberate all of "Historic Palestine." The difference between the Hamas Charter and the PLO charter of 1964 is that the Hamas Charter is couched in Islamic hegemonic discourse. But both call for armed struggle.

By the early 1990s Hamas had already begun the process of modifying the Charter's language. References to the Charter became fewer and Hamas statements focused instead on resistance to occupation. Additionally, throughout the period of the late 1980s, Ahmed Yassin repeatedly emphasized that Hamas had no quarrel with Jews, but only with the Israeli occupation. More simply, by the late 1980s, Hamas had discarded the concept of struggle between Islam and Judaism in favour of a clearly defined struggle against occupation. A further modification came about under influence of popular support for a Palestinian state in West Bank and Gaza arising from the first Intifada. Hamas adopted a distinction between the "historic solution" and the "interim solution." It was a key distinction, as it implied that the objective of winning back historic Palestine could be set aside for the long term, while Hamas conceded its willingness to accept Palestinian or Arab sovereignty over part of the historic territory, alongside a sovereign Israeli state. In speaking with this author in the late 1990s, Sheik Yassin was clear that a Palestinian state formed on lands occupied by Israel in 1967 would lead to an "end to conflict." In other words, recovery of the lands of historic Palestine would be "aspirational" -- pursued without a resort to conflict.

Hamas's ideas on an interim solution were set out in a proposal which Mahmoud Zahar presented to Shimon Peres at a meeting the two had in March of 1988, just months after the Charter had been adopted: -- Israel would indicate its willingness to withdraw from territories occupied in 1967 including Jerusalem, the Occupied Territories would be placed in the custody of the United Nations, and the Palestinian people would name their representatives to peace talks. Israel could not object to the choice of Palestinian delegates to these talks unless the Palestinians enjoyed a similar veto on Israeli selections; negotiations would then begin on all issues relating to all rights. Israel rejected this program.

The idea of a "*hudna*" -- an end to conflict -- as part of an interim solution came up later in the history of Hamas. A *hudna* involves signing a truce with Israel for a fixed duration, such as ten or twenty years. During this period both parties would undertake not to attack one another. Israel would withdraw to the borders of 1967, allowing the Palestinian people self-determination. This idea was set out in a letter from Sheikh Ahmad Yassin in 1993, during his time in prison, to an Arab member of the Israeli Knesset. From this concept flowed the position of recognition of the Israeli state; essentially, once Israel had withdrawn from the Occupied Territories, and Palestinian representatives had been elected, it was for this body to decide the issue of recognition and future relations with Israel. Ahmad Yassin set out this policy in an interview in *an-Nahar* newspaper in 1989.

The prospect of a *hudna* announced by Islamists has been regularly regarded by Israelis as a tactical tool that would allow Hamas to meet its short-term goals and marginal to the central strategy of maintaining an armed struggle against Israel in the name of Islam. The international community also has viewed Islamist

ceasefires with deep scepticism. A ceasefire is often even now perceived as no more than a cynical attempt by Islamist leaders to deflect military and political pressure or, worse, as a deliberate deception to pursue conflict against Israel by other means. Yet the concept of a *hudna* has been developed and embraced as central to the internal debate of Hamas. It is viewed as a way to trigger a political process, to test Israeli intentions, to demonstrate political leadership and stand on equal ground with its internal political rivals.

#### IV.

#### Muslim Approaches to Peace

The Muslim approach to conflict resolution has a long history. Some of the earliest writings in Islam on governance were centred around the rules of warfare and on the methods of resolving conflicts. Although some contemporary analyses of Islamism have sought to establish a disconnect between conflict and its resolution within Islam, historical reality and theological doctrine demonstrates an intimate link between the two. This is most apparent in the universal Muslim horror of internal disorder and conflict within the Muslim community -- what Muslims term "fitna." This fear is apparent in early attempts at conflict resolution by Muslims, in efforts to maintain tribal security, and in the debate on the projection of power (jihad) in the name of the new faith. While the concept of Jihad has been given great attention in the West, and referred to with fear and as evidence of the extreme nature of Islam, jihad is not limited to holy war, nor is it a key theme in the Quran.

The classic doctrine of jihad is found in verses of both the Quran and in the Hadith. Under the terms of the classical doctrine there are, broadly speaking, two types of jihad: offensive and defensive. In practice early jihad interpretations and writings entailed conflict in the encounters mounted by the followers of the new faith with the tribal and religious elements of seventh century Arabia. The importance of conflict resolution was evident from the first ceasefire arranged in Islamic history -- in 628 CE. The "Truce of Hodaibiya" related in the Sura of al-Fath (Victory) in the Quran outlines the first ceasefire or truce arrangement agreed by the Prophet Mohammed and his followers as they sought to begin their pilgrimage to Mecca. This first *hudna*, and its evident and historical success, gained theological significance for later followers of Islam through incorporation into the holy book and by references in other early literature.

Opponents of present-day Islamist truces relate their scepticism to later records, which purportedly declared that the Prophet Mohammed broke the truce -- and that, therefore, this first *hudna* was nothing more than a tactical measure to wage war by other means. In Pickthal's translation and commentary of the Quran, however (and in respect to a linkage between a ceasefire and entry into negotiations), the commentator notes that "when the truce came and war laid down its burdens and people felt safe one with another, then they met and

indulged in conversation and discussion” (Pickthal, 1960: 365). Claims that the Prophet broke the *hudna*, and never intended to keep it, are false -- and not supported by the literature of the period.

In the case of foreign occupation, the Umma (the Muslim community) is required to defend itself. This is one of the most important obligations placed on Muslims. Here jihad is considered as a compulsory obligation, and its centrality is underlined in declarations such as that made by respected commentator Ibn Tamiyah: “The Defensive Jihad means to fight to defend our religion and our honour, it is the most important obligation. There is no obligation considered more necessary to implement than the fighting against an enemy who has attacked to corrupt our World and our Hereafter. There is no condition for this jihad, not even the necessities to travel or wealth, in fact every individual will confront the enemy according to his ability.” Additionally, the classical doctrine of jihad contains specific rules or conditions on such issues as methods of warfare, enemy persons, enemy property, fleeing from the battlefield, assistance to unbelievers, trade with the enemy, captives and prisoners or war, safe conduct, ceasefire (*hudna*) and the end of the jihad. All of these issues are covered by classical scholars based on their readings of the Qoran and the Hadith.

Where movements such as Hamas and Hezbollah differ profoundly with the more revolutionary movements (such as al Qaeda) is on the value and acceptability of truce arrangements -- whether the conflict is an inter-Muslim dispute or a conflict inside a Muslim nation. Ceasefire arrangements have generally been regarded as a valid and important mechanism by most Islamists for regulating conflict between Muslim parties and non-Muslim elements. (This is evident in the participation of Hezbollah in the 1996 ceasefire agreement with Israel, where Hezbollah adhered strictly to the protocols laid down in the tradition of a *hudna*.) By contrast fundamentalist Salafi movements (many of which are aligned with al-Qaeda), that are in conflict with Hamas and Hezbollah, have evolved doctrines of jihad that espouse an *offensive* jihad. The Salafi doctrine is hostile to the use of a *hudna* as a negotiating mechanism, which contradicts the views of more mainline and rooted organizations like Hamas and Hezbollah.

For the Salafi thinkers, the urgency of jihad cannot be underestimated. The parlous state of the faith, they contend, is attributed to a past fear of jihad and its denigration by the modernists, by its being interpreted as having a purely defensive role in Muslim society. For example, Abdullah Azzam, who led the Arab mujahidin in Afghanistan in the 1980s, held that: “Jihad and emigration to jihad have a deep-rooted role which cannot be separated from the constitution of the religion. A religion that does not have jihad cannot become established in any land, nor can it strengthen its frame. So everyone not performing Jihad today is forsaking a duty, just like one who eats during the days of Ramadan without excuse, or the rich person who withholds zakat from his wealth. Nay, the state of a person who abandons Jihad is more severe’ (Azzam, n.d: 17-18)



## V.

### An Interim Solution

The concept of an “interim solution” to the Israeli-Palestinian conflict has been broached by Islamist parties in Palestine. The formula is closely linked to Hamas’s view of jihad and its proposal for a *hudna*. The concept of an “interim solution” has its roots in the quietist and good works heritage of the Egyptian and Jordanian Muslim Brotherhood. But this quietest nature was transformed, as we have seen, by the challenge of Israeli occupation policies. So it was that in the late 1980s, Palestinian Islamism was consolidated and given a new populist and activist character through the pivotal part played by the militant Islamic Jihad organisation in the first Intifada and the subsequent emergence of Hamas. The Hamas leadership, in evolving its policies, quickly abandoned the language of Jihad contained in its Charter and proposed a *hudna* or ceasefire as the means of finding a political solution to the conflict with Israel. Hamas has continued to consistently maintain this concept of a ceasefire. From its inception in the late 1980s its political leadership, in referring to the “interim solution” of the historic struggle with Israel, acknowledged the value of a ceasefire as a part of its strategy for ending Israel’s occupation of the Palestinian territories conquered in 1967.

In the early 1990s Hamas leader Sheikh Ahmad Yassin offered a fixed ceasefire of twenty to fifty years if both Palestinian and Israelis would undertake to refrain from attacks on each other. Additionally, Yassin stipulated that Israel would agree to withdraw to its 1967 borders. Thereafter, the Palestinians would elect representatives to peace negotiations. The adoption of a long-term ceasefire would allow Hamas to defer its “historic claims” for a generation and offer the prospect of Islamist recognition of Palestinian sovereignty arrangements alongside a sovereign Israeli state. Sheik Yassin explicitly accepted that recognition of an Israeli state could be given by elected Palestinian representatives in the context of a long-term *hudna* -- and that such an outcome would inevitably lead to an end to the conflict. The idea of a ceasefire has not been confined to long-term arrangements. Hamas and other Islamists have always adopted a pragmatic approach to the issue and in recent years Hamas has participated in six efforts to deescalate their conflict with Israel. On occasion the political leadership of Hamas has chosen to implement either a de-escalation of armed attacks against Israel or Israeli targets or have agreed to the implementation of a ceasefire without announcing that they are taking such a step. In some cases, the decision was tactical.

The motivations for tactical uses of a cease-fire have been varied. On occasion the Hamas leadership and other Islamists have agreed to a ceasefire or a de-escalation as the result of pressure exerted from the leadership of the Palestinian Authority -- which, in its turn, has been pressured by external actors. More usually, such actions have been implemented as a way of testing whether there

is any interest on the part of Israel to reciprocate militarily or politically, and to demonstrate their receptivity to popular Palestinian opinion and leadership to the Palestinian case. The Hamas leadership has never been particularly comfortable with the idea of a tactical ceasefire, for pragmatic -- not ideological -- reasons. The Hamas leadership believes that a unilateral ceasefire that is not intrinsically coupled to wider political progress would be vulnerable to a breakdown caused from Israeli military pressures.

## VI.

### Transformation

In January 2006 the Islamic Resistance Movement won the Palestinian parliamentary elections; previous to those elections they had scored notable successes in the municipal elections. In the few short years from the end of June of 2003, when Hamas, Islamic Jihad and Marwan Barghouti's faction of Fateh had announced a unilateral ceasefire, Hamas's political position had changed radically. Hamas participated in national elections, two of its parliamentary candidates announced that the Hamas charter "was not the Qoran" and could be changed, it had formed a government within the Oslo-created Palestinian Authority, it had proposed a long-term co-existence plan with Israel based on an end to violence that would be negotiated and reciprocal, and it had authorised its local officials to deal directly with their Israeli opposite numbers on local issues.

Contrary to the canard that Islamist groups "never change" -- a claim regularly made by some in the Middle East and U.S. -- Hamas had evolved its political thinking from almost the moment that the ink was dry on its Charter: it had abandoned the anti-Semitic language of the document, making it clear that its dispute was not with Jews but with "aggressive Zionism that occupied Palestinian land." By 2006, Hamas was not only prepared to re-write the charter, by that point there had already been a Hamas working-group examining the matter for over a year. By the time of the parliamentary elections, Hamas had been transformed in other ways. Following the presentation of the political solution to Shimon Peres that would have seen the creation of a Palestinian state on Gaza and West Bank, Hamas shaped the idea of an interim solution to overcome the difficulty that all the land of historic Palestine was regarded by practicing Muslims as part of the Waqf -- a land that was endowed to them for all time.

This concept reflects a concept espoused in Jewish thinking: of God's promise to provide Israel to the Jews for all time. To observant Jews, the claim to the Promised Land cannot be set aside; it will be fulfilled as all God's promises must be. To deal with this difficulty, and as a more accurate reflection of this concept of endowment, Jewish theologians divide time between an era that is viewed as "redeemed" and an era that is viewed as "unredeemed." In redeemed time all of God's promises must be fulfilled (by definition), but in unredeemed time it is practical to make compromises. Essentially this is what Hamas did with its

concept of endowment, of the waqf. Thereby, an interim solution -- if successful - - could lead to an end to the conflict, while both parties allowed their aspirations to be postponed in order to deal with political reality.

The decision to begin shifting its emphasis from the destruction of Israel to the adoption of viewpoints that move towards a political resolution of the conflict are reflected in both concepts -- of an "interim solution" and in their adoption of a long-term *hudna* that would postpone a final resolution of the dispute. The political transformation of Hamas therefore has not been a "Eureka" moment, but a continuous evolution of thinking that accelerated after 2003, particularly after the establishment of the 2003 *hudna*. One Hamas leader at the time noted that popular support had appreciably grown as a result of this political initiative. He noted with satisfaction that this showed that political action could be more popular than resistance alone. The 2003 *hudna*, as with many changes in Hamas, derived substantially from support from Hamas prisoners held in Israeli prisons. The Hamas leadership – unlike that of Fateh – is a collective leadership. It consults widely, but within the various constituencies that the Political Committee polls, the prisoners are a key element. There is a parallel here with the process in Northern Ireland that led to the Good Friday Agreement, where republican prisoners held in British prisons proved to be the drivers of the political process.

The principal dynamic behind these changes inside the Hamas political establishment was the widespread disillusion with the Oslo process. This was already apparent by the time Senator George Mitchell was enquiring into the causes of the Intifada, a responsibility he took at the request of President George W. Bush. A secondary element was the failure of Fateh to read the politics of Washington correctly: Fateh leaders, with the possible exception of Yasser Arafat, remained convinced that the U.S. administration favoured the creation of a Palestinian state on the land occupied by Israel in 1967. But this position had been significantly eroded even by the time of the inauguration of George Bush. When Palestinian leaders eventually faced this fact, they came to believe that Palestinians must look to themselves rather than external sources for the creation of their state. Additionally, the disintegration of Fateh institutionally and politically prompted Hamas to challenge Fateh's presumed right to lead the nation.

The challenge to Fateh's leadership by Hamas is likely to be a continuing dynamic. One element to the present internal negotiations between Hamas and Fateh centres on reform of the Palestine Liberation Organisation. The PLO, which has been historically dominated by Fateh (and enjoys recognition by Arab states as the sole, legitimate representative of the Palestinian people), includes neither Hamas nor Islamic Jihad as members. President Mahmoud Abbas has tentatively agreed however to hold fresh elections to the Palestinian National Council -- which elects the PLO Executive. If this were to happen it is likely to see Hamas emerge as a strong voice – perhaps the strongest voice - in the PLO.

The election win in January 2006 that permitted Hamas to form a government has resulted in changes to the structure of the movement that are likely to be reinforced if there were to be elections for the PLO. Essentially the PA government is comprised of leaders from the internal wings of Hamas – that is, from *within* the territories. The government is regarded by Hamas leaders as an entity detached from the movement. Hamas ministers were delegated authority by the movement’s political committee, but remain subordinate to the externally based political committee. Thus the Palestinian prime minister, as a Hamas member, exercises authority within agreed limits, but all major issues of policy are decided by the Political Committee after consultation with the various constituencies that make up the movement. The changes that have taken place have tended therefore to strengthen the role of the Political Committee and also lessened the weight of the military wing, Izzadin al Qassam, in the consultative process.

The Western reaction to Hamas’s election win is well-known. The International Quartet demanded that the new Government renounce violence, accept all previous agreements (some of which call for Hamas’s coercive disarmament and dismantlement) and recognize Israel. U.S. spokesmen acknowledged that the January 2006 elections had been free and fair, but said that while they respected the Palestinian right to choose, those choices might entail consequences. Thus, economic and political sanctions have been imposed on the Palestinian people that have caused severe economic and social hardship. The newly elected government has been boycotted politically by Western governments and U.S. Treasury actions have starved it of the finance to govern effectively – even when that finance was raised from non-western sources. U.S. policy has centred on trying to strengthen the pro-Western President Mahmoud Abbas as a rival pole of power, to arm a presidential militia that can confront Hamas militarily, and has encouraged Abbas to dismiss the government and calling for fresh elections – an act for which there is no provision in the Palestinian constitution. Money and weapons have been supplied to certain Fateh leaders in what has been tantamount to encouragement to civil war.

## VII.

### Renouncing Violence

Hamas supports the right of armed resistance to Israeli occupation. For the West this is most troublesome: Westerners can understand that Islamism is the politicization of Muslim discontent at the present world order, but the use of violence by a non state actor seems peculiarly threatening to Western susceptibilities: the use of violence threatens a descent into chaos and it strikes at the European certainties formed since our own “Christian Caliphate” came to an end with the Treaty of Westphalia. After Westphalia, we might recall, the “Caliphate” of the Holy Roman Empire broke into nation states; the Catholic

Church lost its hold over the state and religion became the preserve of the personal. For Europeans, the end of the “Christian Caliphate” is viewed as a pivotal moment that is perceived as the key building block of the Enlightenment -- and the growth of secularism and the progress of science. This mindset has dominated European thought for the last 200 years. It has become synonymous with modernity itself.

It has not been the case that Western governments abhor violence per se: Iraq, Afghanistan and now Lebanon attest to that. But we see the Westphalian structure of nation states as the only framework for the “legitimate” use of violence. States may practise violence; but when movements use it, it use threatens traditional certainties — the same traditional certainties that underpin the Enlightenment. At bottom, movements such as Hamas challenge these Westphalian certainties. Of course for Islamists recent history carries a different message: the nation state has none of the benevolent associations that we couple to the Enlightenment. For most Arabs the drawing of national boundaries was recent, was imposed and has few benevolent associations. For most Muslims, nation-states are not viewed as particularly enlightened.

When the West contemplates a movement such as Hamas that seems to contradict our basic Enlightenment certainties, its first demand is that it should renounce violence, disarm and espouse party politics. Implicit in this stipulation is that movements such as Hamas should acquiesce to our certainties. “Legitimate” violence, we insist, must remain only in the hands of state actors — however discredited they may be. Our demand also implies that these movements should recognise statements about the world order that perpetuate and position the West as owner of the template for the operational implementation of modernity. This is the crux — for Hamas to accommodate to our template is tantamount to acquiescence in its essential challenge to the prevailing world order that seeks to impose the terms for a Palestinian state on a basis that they view to be manifestly unjust. Hamas also sees the demand to play only by the Western rules as an exercise in power designed to “domesticate” them, and to force a retreat in the face of Western hegemony. Acquiescence loses the movement both authority and legitimacy: accommodation therefore is not an option; it will remain armed in the face of what it sees as of Western and Israeli hostility.

The challenge to Western and Israeli hegemony should not be confused with being anti-western. Hamas is not anti-Western; and nor should Hamas’s challenge to our presumed sole ownership of the socio-economic organisation of modernity imply any anti-modernism as such. Hamas seeks to fashion a just social and political order in Palestine opposed to oppression and exploitation that is based on the values of Islam. It believes that it has better answers to fashioning a Palestinian political future than can be offered by the West. In doing this, Hamas, like other Islamist movements, believes that new Islamist political thinking can only be undertaken by disengaging from the received historical and philosophical perspectives of the West.

The Islamist requirement to remain armed during negotiations is not new. There are many precedents of conducting negotiations prior to disarmament. The Good Friday Process in Northern Ireland is one. The retention of arms during political negotiations was agreed to in South Africa's negotiations with the African National Congress (ANC) and in El Salvador with the government's negotiations with the FALN. In neither case was disarmament a requirement for engagement in a political process; moreover, in both cases disarmament and the integration of separate militias into reconstituted security force was not a pre-condition for all parties engaged in the conflict – and did not apply only to resistance groups. In each of these cases, the leaders of both groups, the ANC and the FALN, noted that disarmament could not be enforced or undertaken, as members feared for their and their family's safety.

## VIII.

### Justice and Authenticity

Muslims have a long history of negotiating with adversaries, often using a ceasefire as a first step toward peace. All of the traditional Islamic and tribal methods begin alike – with talking. Unless one of the parties is simply suing for peace in the wake of overwhelming defeat, all Islamist factions subscribe to the wisdom that a “just” outcome (one that has legitimacy and may endure), can only be achieved when both parties to a conflict arrive at the table treating the other as an adversary worthy of respect. This search for ‘justness’ within conflict resolution in the Palestinian context is not confined to the Islamist groups such as Hamas and Jihad. The more secular movements such as Fateh or the Popular Front for the Liberation of Palestine (although alive to the need for “justness”) tend to an approach in the negotiations by attempting to balance an asymmetric power relationship by engaging a third party and international public opinion as a counterweight. Fateh typically has sought to co-opt the U.S. and Europeans to its cause in an effort to add weight to the negotiation scales -- to balance the heavy weight that Israel can place in its pan on its side of the scale. But Islamist movements disagree with this formula, because they are sceptical that Western third parties can overcome their own interests and prejudices to play an effective mediator. Even if a mediator can be found who is able to set aside Western pre-conceptions, this, in the Islamist view, is unlikely to be a corrective to a situation in which one of the parties to a negotiation perceives itself as treated with disdain.

Hamas critiques Fateh's Oslo strategy as putting too much reliance on the West to “do the right thing.” After the January 2006 elections, one Hamas leader made exactly this point: “The reason that we won this election was that the people have stopped trusting the international community. They do not believe that they will do the right thing by us. We know that we must stand by ourselves. We must achieve a state by our own efforts.” Fateh's persistent misreading of the U.S.

political landscape (assuming that the U.S. shared their aspirations for a state based on lands occupied in '67) accounts for much of that movement's slide in Palestinian public esteem. In some respects, this view reflects Senator George Mitchell's 'first rule' of conflict resolution: unless each party to a dispute acknowledges and accepts that the "other" has an argument for their side to advance, there can be no resolution. Armed Islamist groups in the Palestinian arena have been engaged in not only asserting that there is a valid Palestinian "case" – Hamas leaders have repeatedly called for an international acknowledgement of Palestinian rights. Hamas has also been attempting to achieve Israeli "respect" through resistance, as the only means of balancing the scales. Islamist groups' efforts to find this grudging esteem and some parity has been adversely affected both by the dehumanization and de-legitimization of each by the other. As a result there is little disposition to acknowledge that the other side has any legitimate case to advance. Opinion polls suggest in Israel and Palestine reflect this reality -- people believe that their adversaries are "getting what they deserve," .i.e. a violent and punishing response. A key element to any resolution of this conflict, therefore, must be some attempt to outline a narrative for the Palestinians that confers some understanding of the legitimacy of their sense of injustice at what befell their people in the conflict of 1948 – just as the West acknowledges the sense of injustice suffered by the Jewish people.

Of course Hamas and the other Islamist factions understand that there will never be military parity, but at the same time they cite the possibilities inherent in the example of Hezbollah. The perception is that while Israel may have absolute air superiority and huge firepower, Hezbollah nonetheless was able to inflict a defeat on Israel in the summer war of 2006 in Lebanon. Palestinian groups understand that Hezbollah's successful resistance in south Lebanon has caused Israel's military to treat Hezbollah with caution, as a foe that is respected. Israeli armed forces do not take action against Hezbollah lightly. Hamas has sought to emulate the respect in which Hezbollah is held by Israel. The Islamist movement understands that there cannot be parity in each compartment such as weaponry, air power and so on; but, provided that there is some perceived "parity" of esteem between parties to the conflict, then and only then is there the prospect of achieving a "just" and durable outcome in any peace negotiation. It is notable that it is Hezbollah that is viewed as the only movement to have negotiated successfully with Israel, having done so on several occasions on prisoner exchanges – and without the need to accommodate any requirements to recognize Israel, or without calling on the West to "balance the scales."

Moreover, in forming its conflict resolution strategy, the West tends to place emphasis on achieving a outcome that reflects our values: the protagonists should come to understand that the Euro-centric narrative of the Enlightenment; reason and secular liberalism should be the underpinnings of any peace process. But this underpinning of our historical and philosophic narrative is exactly what Islamists are contesting. This approach also ignores the psychology of conflict

which is very different from that which may exist in our more stable societies. Societies that have experienced extended conflict become traumatized. Communities that have experienced loss of life, humiliation and abuse take on all the characteristics of a traumatized individual. During the Palestinian Intifada it was possible to see an entire community present the symptoms of depression: At midday in Ramallah, a major West Bank city, men would wander about aimlessly; few bothered to work, preferring to spend hours watching the news on the Arabic television channels. The streets were empty. Everyone seemed to suffer from sleeplessness. Psychiatrists tell us that individuals in stable societies who suffer abuse, humiliation and violence are likely to become aggressive. This aggressive behaviour, psychiatrists tell us, may last decades – even with the benefit of treatment. So too it is with entire societies; a fact that is seldom recognized in attempting to resolve a conflict.

To those of us outside the sphere of the Israeli-Palestinian conflict, it seems self-evident that it is in the Palestinian interest to cease violence. But to those who live within the context of prolonged and severe conflict, the ability or the self-interest to give up violence may not be so clear. To those within societies plunged in conflict, there are overwhelming feelings of loss, humiliation, of the erasing of hopes -- all factors that make violence impossible to stop at the stroke of some foreigner's pen. If aggressive tendencies can persist within individuals in our societies for a decade or more, why cannot the same be true for societies? For this reason (and in light of earlier arguments of the authenticity of resistance and the need for respect by movements that have been isolated and demonized), gradual demilitarization – rather than renunciation of violence as a precondition – is more likely to chime with a community's psychological needs as well as answer Islamists' need for authenticity and justness.

## IX.

### The Ceasefires of 2001 to 2003

The principal object of the various ceasefires mounted by various Palestinian factions from 2001 until 2003 was essentially to test Israeli readiness to engage in a serious political process that would lead to a Palestinian state on the basis of the 1967 borders. Unilateral attempts at military de-escalation had not been attempted earlier than 2003, during the Oslo period, because of Fateh's attempt to capitalize on its monopoly of power and control of security. Oslo effectively licensed the transformation of the militia of a single faction (Fateh) into the official security organ of the Palestinian National Authority. The Palestinian police and national security apparatus were established in order to control and ultimately destroy Fateh's political rivals. Well before the time of the second Intifada, this mandate had eroded, largely as a result of a shift of public support in the Palestinian Territories towards the Islamists.



There were other considerations that prompted the ceasefire efforts of 2001 to 2003. The civilian population of both communities was periodically experiencing “Intifada fatigue” as well as a dip in morale in response to what has been termed “Fourth Generation” warfare. “Fourth Generation warfare” is no more than the modern evolution of an insurgency and is defined as a kind of warfare that is “widely dispersed and largely undefined,” and where “the distinction between war and peace [is] blurred to the vanishing point.” Fourth Generation warfare is “nonlinear, possibly to the point of having no definable battlefields or fronts” and makes no “distinctions between ‘civilian’ and ‘military’” personnel.” (William S. Lind et al. ‘The Changing Face of War: Into the Fourth Generation,’ *Marine Corps Gazette*, October 1989).

Fluid asymmetrical insurgency of this type, which was incorporated into some aspects of the second Palestinian Intifada, is aimed at undermining the psychological steadfastness of the opponent. Its deliberately uneven tempo also affords the irregular forces more flexibility to test the political waters without experiencing adverse political consequences from their supporters. A change in an already uneven tempo does not imply concession or defeat, but simply shifts in the current of the conflict. For the EU and for some within the U.S. administration, dealing with a way to stop this kind of warfare was key. Additionally, de-escalation of violence was one of Senator Mitchell’s three key linked components towards a resolution of the conflict, which he summarized as “reduce violence, build confidence and begin talking.” In this aspect the Mitchell Report ran concurrently with Islamic norms of conflict resolution. For the Islamists a *hudna* (a period during which military activities are suspended in order to allow a peace process to proceed) held a particular attraction because there was no implied return to the status quo ante: that is, it carried no implied return to the Oslo approach by which Hamas and other groups were to be dismantled or destroyed.

Israel remained ambivalent on whether or not to encourage the *hudna* until after August 2003, when the *hudna* declared on 29 June ended with a bus bomb in Jerusalem and the subsequent targeted killing of a Hamas leader in Gaza. Israel then pressed for Hamas to be internationally proscribed and isolated. Although proscription by the European Union carried little practical import for Hamas in terms of finance or activities, it further isolated and marginalized them from the political process. More seriously, from their perspective, it gave the “green light” to Israel to assassinate their leadership. Before the EU proscription, some Israeli officials and military officers (e.g. Efraim Halevy, a security adviser to the Israeli prime minister) had argued the benefit of co-opting Hamas and the Islamists into the political framework. Halevy and others made this argument, because they had seen the consequences of the Islamists’ exclusion on the efforts of Colin Powell, George Tenet and Anthony Zinni to try to resurrect the earlier security commitments by Fateh at the outset of the Oslo era. They also understood that inclusion of Hamas into the political process was an essential precondition for ending the conflict.

Other Israeli officials however argued that Hamas was not capable of transforming itself into a political party because of its inherent nature as an Islamist movement. This hostility to the religious aspect of the movement (contrasted with the treatment of the secular Fateh movement) coloured the attitude of the U.S. and some Europeans. Some secular Europeans too had misgivings about the wisdom of accommodating religious movements. These misgivings persisted despite the evidence of polls which showed that Islamism was no longer a marginal phenomenon; Hamas was now a mainstream political party. Perhaps of greater weight for some Israelis however was the value of harnessing the “war on terror” to portray Israel as engaging in a wider conflict with Islamic extremism rather than a political struggle over disputed territory.

Similar disquieting views also affected Egyptian mediation efforts. For Egypt, the baggage of their own repression of the Muslim Brotherhood weighed heavily. They were concerned that tacit endorsement or any legitimizing of Palestinian Islamists might be seized on by their own Islamists and exploited. Consequently, their approach was circumscribed by the framework of the domestic political objective of containment of Egyptian Islamism as well as their approach towards Israel and the Palestinians.

The result of this accumulated ambivalence was that the unilateral efforts of four de-escalation initiatives (2 June–9 Aug 2001, 16 December–17 January 2002, 19 September–21 October 2002 and 29 June–19 August 2003) in which Hamas participated provoked no efforts at establishing a framework of reciprocity that was detailed and understood by both parties. Israeli security forces continued to kill Palestinian civilians, make incursions into Palestinian areas, and demolish houses during the periods of significant de-escalation by the Palestinians. In the last *hudna* in June 2003, the number of civilian Palestinian deaths caused by Israeli military forces was reduced significantly. However arrests of Palestinians rose fourfold, and there were continued targeted killings.

Israel's failure to define or to practice reciprocity was probably the principal cause of the failure of various ceasefires. Both Egypt and the EU made some effort to obtain reciprocity, but neither succeeded. For its own policy reasons, Israel remained adamantly opposed to entering any “Grapes of Wrath” type of reciprocal agreement (the agreement between Israel and Lebanese groups that defined the military operational activities of both parties) with Palestinian factions. Israel was concerned that such a step could lead to limitations on its freedom of military action and open the door to internationalization of the conflict (in the form of non-U.S. third-party involvement in monitoring or negotiating any elements of any agreement affecting Israel's relationship with the Palestinians). There were two other principal causes of the truce breakdowns however: the failure to provide any “feel-good” factor to the Palestinian public that could sustain the momentum towards complete ceasefire and the failure of the international community to use these de-escalations to develop any political dynamic.

The failure to develop a political dynamic stemmed principally from the refusal of European nations and of the U.S. to acknowledge or accept the breakdown of legitimacy and credibility of the Oslo process. The Mitchell Report had already signalled in 2002 that for both publics there was a crisis of confidence in the incremental Oslo approach. This acknowledgement would have required the international community to consider how to recoup that lost credibility of both the Oslo process as well as that of Palestinian institutions themselves. External actors were not alone in their difficulties. The second Intifada had so weakened and divided Fateh that it found it difficult to accommodate Hamas and the other groups politically without calling into question the monopoly of authority and the position of interlocutor granted to them by the Oslo agreement. Throughout this period, Fateh failed to discuss the key issues of defining national objectives, the appropriate tools by which to achieve them, and the leadership required to pursue them with Hamas and the other factions for fear that it could unravel their special status as the only "legitimate" Palestinian authority.

Despite the withdrawal of the Bush administration from the Israeli-Palestinian peace process, Fateh blindly pressed on with its assumption that the U.S. covertly shared Fateh's aspirations for a Palestinian state -- if only Fateh sufficiently accommodated U.S. demands. The inability of any Fateh leader to adjust to the reality of the Bush administration was also of course bound up with the evolution of the movement itself. Fateh was having great difficulty in accommodating its own "younger" generation, let alone other factions. Paradoxically, it was Hamas that proved better placed than Fateh to manage negotiations. Throughout the talks in Cairo in 2002 and 2003 it was plain that Hamas had a leadership that was sophisticated and operated with a clear mandate. That was not true of Fateh.

One obvious way to respond to these challenges was to encourage accommodation within the Palestinian constituency and to emphasize elections as the tool to revalidate and find some Palestinian consensus on means and objectives. Western prejudices against non-secular politics and groups that used violence for political ends however led to hesitations. The Egyptians too were unenthusiastic at any prospect that might signal an Islamist strengthening. They argued that elections should be postponed or cancelled. The mindset of Oslo was too ingrained for many to feel comfortable making this case. The West felt more at ease with secular interlocutors and a 'crack-down' on "rejectionists." The 2006 elections probably only went ahead because few in the international community actually believed that Hamas could win them: most accepted the Fateh analysis that there was a "glass ceiling" of 30 percent support which no non-secular party could breach.

## X.

### A Solution

The hostility of the West, towards the Hamas election outcome (which, by the way, was no surprise to Hamas) coupled with its “war on terror” rhetoric of demonization and isolation of Islamist groups has left Islamists cynical and radicalized. The proscription and isolation of the Islamists has heightened the sense of asymmetry of the peace process and the “unjustness” of the West’s perceived bias in favour of the stronger party – Israel. Throughout the region the European and American standing has been damaged by their efforts to punish the Palestinians for electing Islamist representatives. It may take many years before Europe can recover its credibility. It may be that the financial and political sanctions will eventually erode the institutions of the Palestinian government to the point where they cease having any significant meaning. This may be seen by some as a victory that will pave the way for a return of a “moderate” more pliable Fateh. But such an outcome is highly unlikely. If Hamas is forced to abandon institutional politics, it will not be by-passed by Fateh – it will be supplanted by al-Qaeda. Ironically the West will not have facilitated the passage of a resistance movement into politics. It will have facilitated the passage of radical al-Qaeda type movements into the West Bank and Gaza. There is an alternative. The United States and the EU should engage with Hamas and explore seriously with them their proposals for a political solution to the Israeli-Palestinian conflict. “We did not struggle to become the Palestinian Government to frustrate a Palestinian state,” one Hamas leader recently noted, “but because we believe that we can be more successful at achieving it.

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