

Explaining Hamas in Transition

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Hamas in Transition: True Moderation or Stalling for Time?

The Israeli-Palestinian conflict, also referred to as the Israeli-Arab conflict, is a struggle that has its roots in seemingly every aspect of political discourse on Middle Eastern politics. The conflict, which began after the foundation of the state of Israel in 1948, has dominated discussion on the Middle East for over 60 years. Over those years, there have been repeated attempts to reach a resolution that guarantees fair terms and safety for both sides. The peace process, which has both proponents and critics, aims to establish two states for both Israelis and Palestinians; yet, a concrete peace has yet to be found. This research paper aims to answer the question about how the operationalization of Islam in Hamas' ideological and political outlook has shifted in recent years due to the ascension of Khalid Mishal to the leadership in 2004.

Hamas first gained attention during the first intifada in the late 1990s, when it introduced suicide bombings as a tactic to terrorize Israel. Due to its ties with Iran, it has always been looked at as a terrorist organization instead of a political movement, especially in the post 9/11 world. Such a label has resulted in a refusal to negotiate with the group in any meaningful way as well as a perception that any discussion would be fruitless due to the fundamentalist tendencies and its intent to eliminate the state of Israel. Though it may have been founded on a charter that was very Islamic in nature, Hamas has seen changes under the leadership of Khalid Mishal after the assassination of Shaykh Yassin and Dr. Rantisi in 2004.

This paper argues that even though the Islamic Resistance Movement was founded on strict Islamic values in 1988, which were perpetuated by the leadership of Shaykh Yassin, the ascendance of Khalid Mishal to the helm in 2004 led to the decrease of the influence and centrality of the Islamic values in both ideological and political terms through enhanced levels of secularization. This can be seen through Hamas' ideological reorientation in the policies to which it prescribes, in contrast with the charter and the political decisions being made in regards to governance and the peace process. In the opening section, an overview of The Islamic Resistance Movement (Hammas) will be presented. Focusing on the state of the occupation in the late 1980's and what circumstances on the ground led to Hamas' foundation, this section will look at how the organization positioned itself, both ideologically and politically, in opposition to Fatah and the Palestinian Authority up until the assassination of the group's top two leaders: Shaykh Yassin and Dr. Rantisi in 2004. Special attention will be paid to The Covenant of the Islamic Resistance Movement and how it framed its ideological worldview, as reflected through the Covenant, up through the assassinations. The second section will analyze the response of Hamas to the killings and how, in the wake of the assassinations, political restructuring saw the rise of Khalid Mishal to the leadership of the group. The third section of the essay will highlight the policies put forth during Hamas' first attempt at governing, after its landslide victory in the 2006 national elections, which embodied the de-emphasis of Islam in the group's worldview. The importance of the new attitudes developed on the two-state solution, the foundation of law, and the acceptance of Israel's continued existence will be analyzed.

Foundation

The 1980s was a time of conflict throughout the Muslim world. In Iran, Khomeini's revolution was being consolidated even as its war with Iraq dragged on; Afghanistan was the site of a Cold War proxy-war between the mujahedeen and the Red Army; and Lebanon was under invasion and occupation by Israeli forces. Due to the flight of the

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Palestinian Liberation Organization (PLO) from Lebanon in 1983, the attention formerly being paid to the Palestinian cause had disappeared, along with those willing to fight for them. (Kepel 2002) The status of the resistance led many to believe that Palestinian resistance was broken. Attention returned to Palestine after the outbreak of the 1st Intifada on December 8, 1987, after "an Israeli truck smashed into two Palestinian taxis...and the collision was interpreted by young Palestinians ...as a deliberate act of revenge" (Kepel 2002 151). Mass protests emerged quickly and persisted for days, symbolized by the image of Palestinians armed with little more than sticks and stones against the Israeli riot police. As the entire world returned its gaze to the West Bank and Gaza, the Muslim world was left at a crossroads on how to respond.

The Muslim Brotherhood (MB) had abandoned the use of violence in the early 1970's with General Guide Hasan al-Hudaybi's declaration that the MB would stop all military and paramilitary activities. (Ashour 2009) This, by extension, was official policy for all MB-affiliated groups, especially in the West Bank and Gaza where resistance was considered futile and premature. (Gunning 2012) Yet, the arrival of the mass protests prompted an official response from MB in Gaza. Under the leadership of Shaykh Ahmed Yassin and Dr. 'Abd al-'Aziz al-Rantisi, two leading MB members in Gaza, the foundations for The Islamic Resistance Movement (Hamas) were laid over the first week of the rebellion, culminating in a statement supporting the resistance on December 14, 1987. (Abu Amr 2012). By establishing Hamas as a side movement, they could participate on both sides of the protests and maintain existing levels of influence.

On August 8, 1988, Hamas published its official charter, identifying itself as being part of the Muslim Brotherhood. At a first glance, the charter reflects the heavy Islamic influence on Hamas' worldview. Its slogan in Article 8, "Allah is its target, the Prophet is its model, the Koran its constitution: Jihad is its path and death for the sake of Allah is the loftiest of its wishes" (Hamas Covenant 1988), eschews al-Banna's dedication with jihad as a means to an end. Going further, Abdullah Azzam, a Palestinian theologian, is channeled in Article 15 that states, "When an enemy occupies some of the Muslim lands, jihad becomes obligatory on every Muslim" (Hamas Covenant 1988). The model of obligatory jihad was one Abdullah Azzam's core tenets, developed in Afghanistan. By basing their worldview on al-Banna and Azzam, their Islamic credentials for resistance could not be challenged.

Unlike the PLO, whose central goal as was declared in Algiers in 1988 was the establishment of a state, Hamas had a much simpler goal. According to Mishal, "Hamas's Islamic, nationalist, jihadi, and political project was launched to end the Zionist occupation; to liberate the land...to reclaim Palestinian rights...and to reclaim Jerusalem." (Rabbani Spring 2008 71-72) It was nationalist in the sense of creating a nation, as was the PLO, but it did so through a framing of the Palestinian future through community and Islam rather than the secularized attitude of Arafat. The differences between Hamas and the PLO were apparent from the very beginning due to the Islamic overtones in the rhetoric of the former and the secular nationalism of the latter. As the 1st Intifada continued and the Madrid peace talks took place in 1991 between Israel and the PLO, Hamas rejected all calls for negotiation, with the official opinion being that peace initiatives are a "waste of time and acts of absurdity", as "Palestine is an Islamic Waqf consecrated for future Moslem generations... it, should not be given up... Neither a single Arab country... nor all the kings and presidents... possess the right to do that." (Hamas Covenant 1988) Such a declaration firmly positioned Hamas in the resistance camp by drawing a line in the political sand on the basis of strict religious views, which were reflected by the Muslim majority society.

Through the strategic labeling of the entirety of Palestine as a *waqf*, or a religious endowment, Hamas was able to portray the PLO as committing a treasonous act on the parts of the Muslim Palestinians by giving it away to the Israelis. Though this was one of the most liberal uses of the concept of *waqf* as well as a clever distortion of its original definition, Hamas was able to secure popular support through arousing anger and feelings of indignation amongst disenfranchised Palestinians. (Wiktorowicz 2004) As this position was established in the midst of a society-wide revolt over discrimination, it served the purpose of firmly separating Hamas and the PLO as two different entities since Hamas was still a young organization.

From an organizational perspective, Hamas looked nothing like the PLO. The majlis al-shura largely contrasted with complex and impersonal bureaucratic system employed by the PLO on the basis from which most decisions were made. This decision to maintain the usage of the majlis al-shura at the highest level of the hierarchy (Abu Amr 1993),

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even as the group expanded and developed into a fully-functioning organization, was based in the importance of consultation to Islam. The Qur'an, while never explicitly endorsing any form of government, called for governments to be consultative, just, and not oppressive. Following that example, the Shaykh Yassin called for the institutionalization of that most central value. Once again, maintaining Islamic legitimacy was critical above all else. In society, Hamas drove its Islamic credentials home with its system of social services. Unlike the PLO, the MB had developed an extensive system of mosques, which provided services for families and the poor, and which were transferred to Hamas with its creation. Containing schools, clubs, social halls, and clinics, they enabled Hamas to create close links with Palestinians at the ground level. (Wiktorowicz 2004) This would develop into a much more important system as time progressed, making Hamas a central pillar in the maintaining of Palestinian society that could not be fully shut down by state repression. The idea of social responsibility was tied to the idea of *zakat*, one of the five pillars of Islam. The idea of giving to those in need was ingrained in the Covenant itself. In Article 21, the covenant makes clear that "mutual social responsibility means extending assistance, financial or moral, to all those who are in need and joining in the execution of some of the work." (Hamas Covenant 1988) Palestinian concerns would always be their concern as they claimed to be representing the best interests of the people, and as a result, had to be in constant touch with them.

Hamas was born within the shadow of the 1st Intifada because of the MB's desire to have representation among the protestors. Grounded in Islamist values and with a theologically-based charter, Hamas quickly grew into its role as the secondary actor, critiquing and reacting according to public opinion. Over the course of the 1990s, they held fast to the Hamas Charter and their Islamist beliefs, developing trust and credibility on the "Palestinian street" that contrasted heavily with the nationalist and secularist background of the PA and the PLO together. Yet, the deaths of Shaykh Yassin and Dr. Rantisi would serve as the catalyst towards pragmatism as 2004 arrived and the assassination era began.

Hamas Post-Yassin and the Rise of Khalid Mishal

As the 2nd Intifada dragged on and the Israeli public became increasingly frustrated and worried, Ariel Sharon used Hamas's attacks as justification to invade the West Bank in 2002. While the Palestinian Authority's infrastructure was being decimated by the Israel Defense Forces in late 2002, Egypt oversaw peace talks between Hamas and the PLO in an attempt to diffuse the chaos. Attempts to reach a truce failed until mid-2003, when Hamas and Islamic Jihad both accepted the ceasefire. Yet, as Hamas put their weapons away, Israel began a regime of oppression throughout the Gaza Strip and the West Bank through a program of targeted assassinations. From 2001-2004, the numbers of assassinated officials within Gaza have been estimated at 320 by sources within Hamas. (Hroub 2004) One of the most critical losses to the movement came on the afternoon of March 22nd, 2004, when Israeli Defense Forces targeted Shaykh Yassin as he was returning home from mosque. Serving as the spiritual leader, it struck at the heart of the group. Barely a month later, on April 17th, 2004, Dr. 'Abd al-Rantisi, Yassin's anointed successor, was assassinated when a Hellfire missile struck his car. Combined; these two assassinations crippled the top echelon of officers. (Hroub 2004)

The death of Shaykh Yassin and Dr. Rantisi had more significant meaning as well. These men were amongst the original founders from the MB in Gaza. Ideologically, they underpinned the movement through their daily actions and rhetoric. Jihad and resistance were values at their core, and negotiation was seen as treason. They truly believed in the Hamas Covenant for all it embodied. Though there was a majlis al-shura and all of the top decisions were debated, their votes carried more weight. (Hroub 2004) As a result, they had hegemony over the group's movement. Their deaths opened the way to a new path, one that could not have been traversed beforehand. In the wake of the assassinations, the "inside leadership" stopped releasing the names of those in power. The balance of power between the top officials inside and outside of Gaza had long been biased towards those on the inside, but this new level of secrecy allowed the "outside" leadership take charge of the face and direction of the movement. Khalid Mishal, who had been a member with Hamas since its inception and had been the head of the political wing since 1995 when the former leader, Dr. Marzuq, was imprisoned in the United States (Rabbani Summer 2008) became its public face.

Coming from the outside leadership as well as the political bureau, he had long been representing Hamas abroad

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with officials from many different countries. As a result, he had a much more diverse and pragmatic worldview than those who served in the inside leadership as military wing commanders and spent all of their time in Gaza. Going further, he came from a different stock of activists at Hamas' foundation. At the outbreak of the 1st Intifada, the MB allowed many of the non-ideologically motivated members to join Hamas if they wanted. This group was far less absolute in its opinions and its younger leadership would become known for its pragmatism. (Gunning 2012) Its influence would soon be seen in the political decisions of Hamas in the years following the end of the 2nd Intifada.

Hamas 2.0

The ascension of Khalid Mishal as leader in Hamas ushered in a new era in the politics of the West Bank and the Gaza Strip. The 2nd Intifada ended in 2005 and with this came the announcement about Hamas's decision to contest the upcoming 2006 Palestinian Council elections. Since Hamas's foundation in 1988, it had never contested elections due to way in which the entire system was dominated by its rival, Fatah. (Hroub 2006) Yet, 17 years and two intifadas later, official policy was changing in a way that had never been attempted beforehand and until then was declared illegitimate? According to Hamas's Change and Reform Party's preamble, "The Change and Reform List believes that its participation...falls within its comprehensive program for the liberation of Palestine. This participation will be a means of supporting the resistance and the intifada program..." (Hroub 2006 8) By linking the participation to resistance, it added needed legitimacy to the move. This is particularly striking as it represented the earliest attempts to balance its Islamist credentials with the new political reality. According to Mishal, in an attempt to assuage concerns about compromise it wrote, "Resistance can be in a political and diplomatic form, not only on the battlefield" (ICG 2006).

Yet, as would be seen, this was as strong as the rationalizations would become as the party took even more "radical" changes with their entrance into the political realm. While the party was associated with Hamas, it did not address religion very much in the platform description; rather the idea of political reform is pushed as its main focus. Combined, the sections that relate to religion number around 1.5 pages out of the 14 page document. (Hroub 2006) Given this de-emphasis of religious influence, it can be gleamed that the party was attempting to reach out to a broader base of support and as a result, understood the pragmatic way to politics. Where did the traditional Islamist tract of "Islam is the solution" go? The Covenant states that Palestine was lost as a result of the way Arabs had turned their back on Islam and that only by returning to the fold could it be reclaimed. (Wiktorowicz 2004) One could argue that this was a first step towards democratic transition theory, or that Hamas was being influenced by frame alignment theory due its desire to be accepted by its constituents. (Gunning 2012) No longer did they have to appeal only to the more conservative elements of Palestinian society, but to the liberals, moderates, and the non-religious. Regardless, such actions reflect an increasingly secularized platform that would have been impossible to see years before.

After nearly a year of preparation, the Change and Reform party surprised everyone by winning a majority in the January 25th 2006 Palestinian National Council election. Rather than attempt to fight it alone with governing the Palestinians, Change and Reform attempted to create a power-sharing agreement between the various parties represented. Hamas had always pushed for national unity (Hamas Covenant 1988), so this was not as revolutionary as the "Proposed National Unity Government Program" put forth by Prime Minister Ismail Haniyeh. The program outline is eye opening for its moderation, seen as a break from the older core values and outlook of Hamas. At the program's center was the seeming acceptance of the idea of two-state solution. Article 5 of the program calls for the government to "[cooperate] with the international community for the purpose of ending the occupation and achieving a complete withdrawal from the lands occupied in 1967, including Jerusalem..." (Hroub 2006 16-17) This program describes an attitude that is far more moderate than had ever been put forth by Hamas as an organization, and could be confused with a platform put forth by Fatah. (ICG 2006)

Although the article never sanctions the two-state solution outright, the text supports the internationally-backed plan for peace. While calling for a complete withdrawal from all lands occupied in 1967, and not 1948, they are both recognizing Israel's right to exist and that they will not be going back to the lands of 1948. Years before, such a conclusion would have been considered a failure according to the Hamas Charter and the opinions of Rantisi and Yassin. Despite the contradiction such a decision would be in comparison to the central charter, Mishal took it upon

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himself to make the following statement when pressed on the topic of Israeli recognition, a central piece of the Arab Peace Initiative of 2002, saying “The recognition of Israel is perhaps possible in the future were Israel to recognize the [national] rights of the Palestinian people.” (Usher 2006 10) This idea is at odds with the core of what Hamas was originally founded on and the fact that it was even hinted at was never expected. The sanctity of the *waqf* was no longer untouchable. While the electoral platform was to reach out to Palestinians, the “Proposed National Unity Government Program” was meant to reach out to the international community. Rather than existing as a pariah state, they wanted inclusion, possibly due to the restrictions on aid applied by the international community. (ICG 2006)

One of the most unexpected examples of moderation on the hands of Hamas in the political arena to date was seen through Haniyeh’s “Cabinet Platform” speech given on March 27, 2006 before the Palestinian Parliament. Since power-sharing had failed, this platform was one which Hamas had agreed on without concessions to any factions. (Hroub 2006) Rooted in this address were potential seeds for even further moderation in the future, as represented by the increasing de-emphasis of Islamic values. Of the many points made throughout the address, one of the most crucial ones is centered on the acknowledgement of Israel, also known as the “occupier”. As he stated, “The government and relevant ministries will take into consideration the interests and needs of our people...thus dictating necessary contacts with the occupation in all mundane affairs: business, trade, health, and labor.” (Hroub 2006 20) This acceptance is critical as it marked the first time that Hamas officially recognized Israel as well as opening public contact in a peaceful manner.

Due to Hamas’s history as the resistor with very violent historical relations with Israel under the occupation, this change is hopeful. Not only did Hamas have popular legitimacy at the municipal level and in professional unions, but now they were also handling the affairs of the PA. This was the most it had ever been included in “state” affairs, even if there was scant support from those with power. Another area of his address, which supports the idea that Hamas had politically become more progressive was the promise that the “government will operate in accordance with the articles of the modified Basic Law of 2003” (Hroub 2006 22) The Basic Law is significant because it was one of the laws created during the 1993-1994 Oslo Accords. While Hamas denies the legitimacy of the accords and has continually criticized its role in oppressing the Palestinians, this promise can be seen as an acceptance that it is the only way forward.

Through this apparent acceptance of the PA’s role and importance in the battle for state-hood, it indicated increasing respect for the rule of law put forth by the PA, and a decrease in militant actions and provocations towards Israel. Yet, resistance from the U.S. before, during, and after the elections removed any chance of seeing a moderated, secularized Hamas from its experiences in government as a ruling party. Even before the elections, President Bush restated the view that “Hamas is a terrorist group; it is on a terrorist list for a reason”. (Malka 2005 50) Through political pressuring, blocking economic aid, and fostering factionalism, any hopes of this goal were lost. The subsequent undermining of Hamas’s attempts to govern quickly saw the development of the schism, which resulted in the seizure of the Gaza Strip by Hamas para-military forces.

Conclusion

When the Islamic Resistance Movement was first founded, the Palestinian people were rioting against what they believed was fundamental disrespect and indiscriminate oppression by the state of Israel through the occupation. Hamas was created by the Muslim Brotherhood to capitalize on that anger, in the hope that this would help to lead the charge to dignity and freedom for the Palestinian people. Yet, as time passed, and the pressure on Israel increased, the PLO was chosen as the sole representative of the Palestinian people, relegating Hamas to a 2nd tier position, where it stayed for many years. In this position, it continued to preach the Islamist approach to solving the Israeli-Palestinian conflict.

Yet, Hamas reached a critical juncture with the assassination of its top two leaders in 2004. Their deaths opened up a route that had previously been sealed off to the group: public acceptance. Under the leadership of Khalid Mishal, a change has been taking place, albeit at a slow pace, in which the highly charged Islamist rhetoric and deeply rooted Islamic values have been exchanged for a more secularized and balanced discussion as well as a promotion of respect for the “other”. The benefits of this transition could be seen as early as 2006, when Hamas won an

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unexpected majority in the national elections in January of that year and took the reign of government for the first time in its existence. Under this new social and political role, it has continued to follow this path of least resistance, attempting to broaden its appeal both domestically and internationally through a careful withdrawal from its hard-line conservative beliefs. If not for the resistance from the wary West, there may have been yet another chance for peace.

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