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ELUSIVE INGREDIENT: HAMAS AND THE PEACE PROCESS

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This essay argues that the significant shift in the political power balance in the occupied Palestinian territories toward the Islamists in recent years has major implications for the Israeli-Palestinian peace process, and must be taken into account if there is any chance for a successful resolution. The authors, who have first-hand involvement with conflict resolution and negotiations with Hamas, survey the movement's evolution on the ground, its participation in cease-fire and intra-Palestinian talks to date, and its positions on power accommodation with the other Palestinian factions and on eventual participation in peace talks or governance. Attention is also paid to the role of external actors in the process and the ingredients of successful peacemaking. The authors conclude that current peace frameworks, by ignoring Hamas's weight and its indications of readiness for political incorporation into peacemaking, are ignoring what could be the "elusive ingredient" for peace.

IF THERE IS ONE THING on which most could agree with regard to the Israeli-Palestinian conflict, it is that prospects for a negotiated solution are bleak. Efforts at negotiation appear to have been abandoned: Prime Minister Ariel Sharon's Gaza withdrawal plan is understood as evidence that Israel will not commit to peace negotiations with the Palestinians. The road map, the only internationally accepted formula for ending the conflict and still technically on the table, appears to have reached a dead end for a number of reasons—not the least of which is that the Palestinian people, as recent polling data have shown, have no faith in it.[1] Indeed, all the plans put forward since the outbreak of the second intifada to end the violence and return to negotiations—plans all based on the Oslo formula—have failed. It is our contention that one of the major reasons for this failure is that the plans ignore major changes that have

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taken place in the Palestinian political landscape since the Oslo formula was
devised over a decade ago and particularly since the return to armed conflict
four years ago. The factor that has not been taken into account in recent years
and which, we contend, must be taken into account now, is Hamas, the largest
Palestinian Islamist movement.

Hamas is an historic movement whose leadership presides over a major
social-welfare, political, and armed structure that rivals the PLO in terms of
its presence and roots in the Palestinian arena.[2] Its popularity has surged in
recent years, making it a major political force. And while it is true that armed
struggle appears to define Hamas's present relationship with Israel, it is also
true that it has demonstrated considerable political pragmatism in the past and
that, more recently, it has shown itself to be open to political maneuver as well
as to armed resistance as a dual policy of maximizing its position in the local
arena. In the past four years, however, political overtures from Hamas have
been rebuffed by Israel and the United States, united since 9/11 in a war on
terror against Islamist organizations deemed equivalent to al-Qa'ida.[3] Hamas,
according to Israeli and U.S. policy doctrine, is an impediment to peace. This
judgment ignores the stark reality of changed perceptions and support on the
ground.

HAMAS IN THE PALESTINIAN ARENA

Since the outbreak of the second intifada, many Palestinians have come to
believe that the PLO/Palestinian Authority (PA) no longer has a credible na-
tional strategy capable of leading to a just solution of the conflict with Israel.
During the process of collecting evidence for the Mitchell Fact-finding Com-
mittee into the causes of the intifada in 2000–2001, we discovered that the
overwhelming weight of opinion among Palestinians, surveying the settlement
expansion in the territories, was loss of faith in the incremental approach to
a negotiated outcome. This failure of trust in the process was identified as a
key element in the popular underpinning to the intifada. Palestinians also saw
that the Israeli public had likewise undergone a political metamorphosis after
Prime Minister Ehud Barak's Camp David initiative, which left many of them
hostile to continuing the Oslo process with the existing Palestinian leadership.

The growing skepticism about the ability of the incremental process to de-
liver a just outcome gave renewed credibility to the analysis of groups such
as Hamas, which had rejected the Oslo process in 1993 and was now seen as
having correctly prophesied the failure of conflict resolution through the auton-
omy experiment. The saliency of the critical rejection of a process that Hamas
condemned lay not in the concept of peace itself but the mechanisms inherent
in the Oslo process.[4] At the time that Oslo was signed, however, Hamas had
been out of kilter with the prevailing popular sentiment, which then favored
a peace settlement marshaled by Yasir Arafat and the PLO. During this period,
however much Hamas questioned Oslo's legitimacy, it also understood that
mounting a challenge to that legitimacy by challenging the PLO/PA's standing

as the representative of the Palestinian people would play into Israel's hands. Observing a nonaggression pact with the PA, Hamas instead repeatedly called for more democratic structures in the political arena and greater representation in molding the national position on a final peace with Israel. At the same time, it worked on consolidating its position within the Palestinian community through its social and welfare projects. It also concentrated on its survival, which meant withstanding the security campaigns orchestrated against it by Israel throughout the 1990s, as well as by the PA responding to external pressures. By the late 1990s, despite mass deportation, arrest campaigns, the banning of its publications, and targeted assassinations, Hamas had increasingly made its stamp on the landscape of the Palestinian territories, where its popular motifs, the increased wearing of *hijab*, and the sense of living in a more Islamic society had grown.

Since 2000, political support for the PA, already waning in the last years of Oslo, had ebbed further under the impact of the general militarization of the Palestinian environment; persistent Israeli military incursions, curfews, closed military areas, and closures; and the withering of its own basic service provision as a result of the above. A major factor contributing to undermining the PA as a unitary governmental authority has been its clear loss of the monopoly of legitimate force, a key power indicator in any society, with the emergence of armed elements among the Palestinian factions. For some years now, the PA security forces have not necessarily been seen as serving the broad Palestinian national interest. They have been widely seen as an instrument of Fatah, with recruitment policies favoring this political faction over others. Today, the security forces are seen not just as the instrument of Fatah as a broad movement but more narrowly of the Fatah "old guard"; rank and file Fatah activists have come to share the general public's jaundiced view of PA security. Moreover, many Palestinians see these forces not as neutral upholders of the law but as an exclusive cabal subject to the increasing control of local chiefs or warlords. At the same time, as a result of Israel's military response to the intifada, various dimensions of the policing project—including public order policing, traffic policing, serious crimes investigation, and counterterrorism—have been seriously disrupted or have altogether ceased. This was illustrated during the Israel Defense Forces' (IDF) spring 2004 "Operation Rainbow" in Rafah, where the security forces were either absent or powerless to protect the residents. The failure to fulfill one of the most basic obligations of a governing authority—maintaining public safety—has undermined both the legitimacy and the credibility of the PA. There is today no single figure in the PA security service capable of delivering the kind of security guarantees in Gaza that Israel demands.

The support lost by the PA since the outbreak of the intifada has run increasingly in favor of Hamas, both in the civilian and security domains. In the absence of a sense of public safety, Hamas has been able successfully to exploit the security vacuum to extend its power and influence over internal security in Palestinian areas, particularly the Gaza Strip. Thus far, Hamas has not sought open confrontation with the Palestinian security forces, but it would be a

mistake to assume this to mean that the PA enjoys the upper hand. At present, Hamas is the second largest armed faction, and unless it is brought into the political process there is little likelihood that it will disarm or decommission either before or after an Israeli evacuation. Recently Hamas, along with other armed factions, has condemned plans for Egyptian intervention in security arrangements for Gaza following Israeli withdrawal.

Yet despite its power, both as a political and as an armed force, Hamas has remained marginalized from the political track of conflict resolution by Israel and key members of the international community. There has been some recognition of the shortsightedness of this policy, and efforts by the European Union (EU), through the office of the High Representative for Common Foreign and Security Policy, did begin to yield results in terms of mediating a dialogue with Islamists. Such activities were politically foreshortened, however, by the intervention of strong external actors that objected to dialogue with those they had come to consider in the same camp as the al-Qa'ida extremists.[5] At the same time, those who represented the "the essence of nationalism," most notably the PLO leadership, were also boycotted. The United States has instead attempted to promote its own version of an "acceptable" (malleable) leadership, ignoring mass sentiment.[6] Meanwhile, in the security domain, the U.S. administration seems unaware of the difficulties in establishing security or safety in Gaza without Hamas as part of the equation. Israel may be more alert to this problem, as evidenced by its recent cultivation of Egypt as a security partner in Gaza.

THE NEED FOR UNITY

Coming to a successful peace settlement with Israel requires a critical mass of ground support and cohesion. Experience demonstrates that in contexts such as this, no amount of top-down political pressure from the international community will be able to energize a constituency that, quite simply, no longer trusts the direction of events. A confidence measure here or there cannot win sufficient popular consent to overcome the inertia of failure. Such a transformation requires sustained trust-building and peace-building. The Palestinian people may be beyond the "hurting stalemate," where the suffering of the population can promote negotiation and resolution strategies delegitimizing violence.[7] If future political initiatives are to have any chance of success, they need to address issues of internal accommodation and power-sharing in the Palestinian community.

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Since 2001, Hamas has worked assiduously toward this end by promoting an internal debate with secular nationalists aimed at reaching a "national" rather than "nationalist" position on peace with Israel; for Hamas, "national" means true representativity, including all factions working for Palestinian

self-determination, whereas "nationalist" denotes the narrow interests of the PLO. Elements of the Hamas political leadership contend that there are steps toward rebuilding internal legitimacy that may be available once the crisis of legitimacy has been acknowledged. They believe, however, that such acknowledgement is not presently forthcoming: within the Oslo framework, external actors encouraged Fatah, in return for the power monopoly it received under the accords, to dismantle Hamas, and this emphasis on repressing Hamas as the price for reentry into the political process remains unchanged today. The problem for the peace process and the international community is that those who have been repressed have become the majority and those with the formalized monopoly of power have become the minority.

Indeed, the external actors appear more attracted to proposals to reengineer a Palestinian leadership that will continue to marginalize and exclude other substantive representatives of Palestinian sentiment than to address the problem of the failure of the process, which, in their view, is a security failure. The wish to carry on with established structures that on the surface appear largely unchanged is understandable insofar as a certain "path dependency" has emerged in the motivations of external actors, which seem loath to try an alternative route or to think out of the box. But history shows that failure to recognize the absence of authority in a given set of circumstances—and the failure to adjust accordingly—can doom a project to failure. Despite this most unpromising climate, Hamas has continued to respond to formal and private initiatives seeking a way forward into a political process that includes the eventual recognition of Israel and formal peace negotiations.

A peace process capable of leading to a lasting solution must be as inclusive as possible, requiring political actors to accept the limits of their power and to put aside aspirations for dominance in favor of wider cohesion. Such processes, if linked to the prospect of durable conflict resolution, create a "win-win" situation with regard to parity of power, legitimacy, and popular support. Internal accommodation framed around the greater ideal of "national unity" would strengthen the Palestinians in any future negotiations with Israel. Yet Palestinian power structures today are less pliant to political accommodation than they were before the launch of the road map, which is why the intra-Palestinian reform debate is so important. Reform for Hamas concerns not just PA institutions but the functioning of democracy in the wider political arena. Hamas, which has consistently demonstrated respect for democratic processes and mechanisms in Palestinian society, has been proposing the accommodation of power as a vital ingredient in the reform process and the establishment of a representative constituency to take peace forward.

In the nationalist camp, the new realities are recognized but the process of change is slow. The older Fatah leadership, with its monopoly of power achieved through the Oslo accords, has not found it easy to reach an accommodation even with Fatah's younger generation; accommodation with Hamas would be all the more difficult.[8] Moreover, third parties have invested little effort in encouraging a constituency in Israel to recognize that a meaningful

and inclusive Palestinian national unity is necessary for a negotiated peace. And while third parties have displayed readiness to invest heavily in the conventional security apparatus, they have given no resources or support to those seeking to find a common basis of agreement and of internal legitimacy.[9] Yet such efforts, as is evident from other conflicts, require little by way of financial support, but can go a long way in creating new dimensions of dialogue.

Furthermore, with regard to Palestinian unity, some international actors not only do not foster internal Palestinian cohesion but can be said to actively discourage it. In the case of Israel, Ariel Sharon's policy of "painful separation" requires the delegitimization of *any* Palestinian leadership so as to justify the claim that Israel's only option is to separate unilaterally on its own terms. As for the United States, its ongoing insistence on the Oslo security methodology in the West Bank and Gaza Strip only promotes divisions within Palestinian society. As an example, attempts by the Quartet to pressure Abu Mazin, during his tenure as prime minister, to provide security succeeded mainly in splitting Fatah and failed to find support for any challenge to Hamas or Islamic Jihad on the ground.

Certainly, reduction in violence—one of the principal requirements identified by Senator Mitchell—has been correctly perceived as the key to political progress. The situation today, however, is that any credibility or legitimacy for punishing what is popularly perceived as resistance to occupation in the face of a deteriorating political situation has long since vanished. The United States and other actors fail to recognize that a reduction of violence achieved in the context of broad popular support is quite different from a reduction in violence *enforced* against the grain of popular sentiment and that their efforts to "engineer" security in the absence of popular legitimacy cannot succeed beyond the short term. If external actors cannot or will not address the need for broad community based support for security action and rely only on externally imposed top-down pressure, they should not be surprised if the results are opposite from those intended—a strengthening of the Islamist currents.

There is, of course, a current of opinion within the Israeli political leadership that views any increased Palestinian cohesiveness as detrimental to Israeli interests insofar as it would result in a united and more assertive Palestinian negotiating posture. Third parties need to make the alternative case that without this cohesion, the prospect is of increased "civilianized" conflict and a deteriorating outlook for negotiated resolution efforts.

LIVE WIRE CEASE-FIRE

In the absence of prospects for a formal peace agreement in the near future, a Palestinian cease-fire at some juncture becomes a likely element in a reciprocal reduction of violence and the beginning of negotiations. Hamas's willingness to be party to a cease-fire could have been interpreted as its recognition of the principles for the resumption of negotiation as indicated by Senator Mitchell

in his report on the outbreak of the intifada. Ideally, a cease-fire should not simply be to create the security quiet needed to allow others to take a political process forward, but should have broader aims. In terms of the internal Palestinian dynamic, cease-fire talks could have permitted the Islamists to engage in the political process by circumventing the issue of their dismantlement as required by the U.S. and Israel. More fundamentally, it could have provided the route whereby Hamas would have been able to recognize the political *reality* of Israel while continuing to deny its moral or historical justification. *Absolute* recognition of Israel, which would imply abandoning territory regarded as Islamic *waqf*, would be virtually impossible for an Islamist group, but the importance here should have been the possibility of a significant step toward ending the conflict implicit in recognition of Israel's political reality. The claims of the sacred and the moral, in terms of jurisdiction over the disputed land, may require a different type of discourse than that of Western realpolitik.

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What makes it possible even to conceive of an outcome whereby Hamas would recognize Israel's political reality is the movement's concept of a long-term cease-fire, which is deeply rooted in the Islamic approach to conflict resolution. This concept, which includes an "interim option," provides Hamas with an exit from its formal position demanding the recovery of all historic Palestine. Outlined by Hamas in the early 1990s and repeated since by various spokesmen, the interim option allows for a long-term truce that could last up to fifty years if Israel withdraws from the territories occupied in 1967. As Hamas leader Isma'il Hanniyya explained, a cease-fire "would apply, if the occupation (in all its manifestations) were removed from the Palestinians areas to the 1967 borders. It is a withdrawal of the occupation."[10] Hamas leader Isma'il Abu Shanab proposed that the Palestinians select representatives to negotiate with Israel through elections, while Shaykh Yasin, during his imprisonment in Israel, had made plain in correspondence that these representatives could decide to recognize Israel in the context of a negotiated settlement. If mandated Palestinian negotiators reflecting the wishes of the Palestinian people agreed to recognize the political reality of Israel, Hamas explicitly stated that it would accept this outcome. Specifically concerning the possibility of a cease-fire in the present intifada, Hamas's participation emerged in its internal debates as more than a mechanism to halt armed operations against Israeli targets, but as a way of communicating a willingness to seek a political route out of conflict.

But by the time a first draft of the road map began to circulate in the fall of 2002, a creative approach to a cease-fire had become totally out of the question: it was clear by then that the neoconservatives steering policy on the Palestinian issue in the White House had no intention of "rewarding violence" by recognizing Hamas's genuine political presence. Nonetheless, and despite deep reservations, elements of the Hamas leadership, both internally and

externally, supported cease-fire talks as a step in the right direction if credible
political progress were to be achieved.

In the actual intrafactional cease-fire negotiations that took place in Egypt
in late 2002 and 2003, Hamas was convinced that Arafat, struggling against
external pressures to undercut his authority, would be unable to yield further
authority on another front—i.e., to Hamas and Islamic Jihad. This calculation,
together with deep concerns about Abu Mazin's unqualified embrace of the
road map, prompted the Hamas leadership to conclude negotiations for a cease-
fire with representatives of Marwan Barghouti rather than with the PA or Abu
Mazin. Even though Barghouti was imprisoned in Israel, his commitment that
he and his supporters would stand by Hamas and not seek to blame them in the
event of a breakdown in the truce was an important factor in the movement's
decision to participate in the June 2003 unilateral cease-fire. In the event, all the
yielding that went into the cease-fire came to nothing, when it became clear
that the Israeli and U.S. response was suspicion and mistrust. Hamas has always
insisted that a truce would be short-lived and would collapse under the pressure
of events unless it was underpinned by the credible prospect of progress toward
a Palestinian state, had popular legitimacy, and was reciprocated by Israel.
But Israel, under no external pressure to reciprocate, maintained its policy of
assassination and continued to target the Hamas leadership in a series of actions
that could only be interpreted as a major provocation and rejection of the cease-
fire. The United States, for its part, continued to pressure the PA to clamp down
on Hamas. Not surprisingly, the truce broke down after six weeks. Against this
background, it is hardly surprising that no agreement was reached when Abu
Mazin's successor Abu Ala' (Qurai') in late 2003 again sought a renewal of the
cease-fire.

The failure of the cease-fire attempts has underlined the need to establish
ground rules for all parties regarding this mechanism of conflict reduction.
Hamas acknowledges the need, if future efforts are to stand any chance of
success, for some form of international involvement in monitoring a cease-fire,
troubleshooting local difficulties, and hearing complaints of noncompliance. In
this respect, there is much to be learned from the 1996 Israeli-Lebanese cease-
fire understanding, which included Hizballah. The international monitoring
structure established as part of that cease-fire arrangement proved effective in
limiting violence on both sides, particularly violence involving civilian casual-
ties. As one Hizballah political council member highlighted, "one of the main
reasons for Hizballah's agreement to the April [1996] Understanding was to pro-
tect the lives of civilians. . . . We consider it a great achievement for that time
to be able to clear out civilians, our civilians, from the confrontation against
Israel."[11] An international presence could also usefully flow into the next stage,
which would be to promote trust-building on both sides.

Israel's subsequent shift in policy, resulting from the decision by Ariel Sharon
to eschew a negotiated settlement with the Palestinians and to opt for sepa-
ration, paved the way for the assassinations of Shaykh Yasin and 'Abd al-'Aziz
Rantisi in spring 2004. The U.S. defense of the assassinations was unambiguous.

President Bush repeated that "Israel has a right to defend herself from terror," while his National Security Adviser Condoleezza Rice responded to Yasin's assassination by saying "Let's remember that Hamas is a terrorist organization." In terms of Palestinian popularity and of legitimacy, however, polling evidence showed strengthening support for Hamas. Moreover, the rest of the international community, including America's ally, the United Kingdom, condemned the assassinations and described them as counterproductive to peace efforts. The death of Shaykh Yasin had already been anticipated by Hamas, but the manner of his killing by Israeli missile while he was on his wheelchair journey home from the mosque has made him a symbol that has greatly extended Hamas's regional reach. The door to Hamas representatives is now open in many more Arab capitals as a gesture of solidarity with this Muslim national movement. It is too early to judge, but Yasin's symbolism, already visible among the resistance in Iraq and Islamists in Saudi Arabia, may have launched Hamas as torchbearers for a wider Sunni Islamist constituency and insurgency.

SHARING POWER AND STRUGGLE

As indicated above, the utility of a cease-fire goes beyond the obvious benefit of security "quiet." It could serve as a gateway for bringing Islamists into the negotiating process. By the same token, it could open the prospect for an interim broadening of the Palestinian leadership necessary for successful negotiations with Israel.[12] Since the discussions held between nationalists and Islamists prior to the current intifada, there has been no sustained intrafactional dialogue either on political objectives or on a leadership capable of achieving them. Though there were intermittent talks on an interim national unity throughout the 2001–2003 period, they often broke down due to unwillingness on the part of factions to concede relative political weight. One senior Hamas leader attributed the failure of the national unity talks to the fact that most of the participants, even those claiming to be neutral, were part of the PLO or appointed by Arafat, "It is not our fate to put our fate into the hands of Mr. Arafat. . . . We have to look for fair representation . . . that [sic] can be achieved only by election. And these elections should not be for the Oslo regime."[13]

Hamas believes that an interfactional dialogue aimed at reaching a democratic consensus on key Palestinian issues must *precede* full and free elections. This is because, in its view, full elections immediately following an Israeli withdrawal could prove destabilizing for Palestinians and may confront Israel and others with too great an element of uncertainty. An interfactional dialogue forum, in their thinking, should aim for an interim political power-sharing formula among the factions that, inter alia, would consider the selection of a representative negotiating team with Israel and its terms of reference. Such a dialogue forum could also lead to the drawing up the guidelines for the elections that might follow any successful negotiations with Israel and could agree on practical arrangements for the implementation and regulation of any agreed

cease-fire. The dialogue forum would also need to agree on a process of decommissioning by the factions in step with political progress and Israeli military disengagement

For normal interfactional and intrafactional dialogue to resume, however, conducive environmental conditions are required. A major step toward this end would be for the international community to signpost more clearly the parameters of the prospective outcome of peace negotiations. Given the depth of suspicion on both sides as to the intentions of the other party, it will be difficult for any faction to lead internal accommodation without some assurance of the eventual destination. This done, negotiations would follow, and, if successful, Palestinian elections could ensue. In Northern Ireland, for example, after a four-year cease-fire observed by the Loyalists and the Irish Republican Army (IRA), the negotiations that culminated in the Belfast Agreement for conflict management by accommodation of power were sanctioned by referendum and elections for a new devolved legislative assembly.[14] This was a process where the IRA continued to be labeled as terrorists by some, yet the principle of inclusiveness encouraged a route from arms to negotiations and an enduring cease-fire.

Leadership elements within both Fatah and Hamas believe that it might be possible to organize some elections even before full elections in order to give a dynamic to the process. For Fatah, however, such elections could be at the local level and among professional and trade associations. Hamas, on the other hand, argues that elections should begin with the Palestine National Council (PNC). In an interview about a year before his assassination by Israel, Isma'il Abu Shanab described Hamas's position as expressed during interim national unity discussions with the nationalists. "We suggested that the election is the best way to reform . . . but it should start with the PNC. The PNC is a larger body than the PA, and this body represents Palestinians inside [the territories] and outside. With this we establish a foundation for a new political life, because we have a PNC which never got to be elected since 1965. Thus we don't have real representatives. If there are elections to the PNC, then in this sense we can get real representatives. Those real representatives will establish a referendum for the whole political agenda and political reform. Inside this [forum] we can discuss all agendas."[15]

With regard to an interfactional power-sharing formula, Hamas favors free and externally monitored elections at some point that will lead to a fairer internal political system. It is important to emphasize that while Hamas wants a say in the shaping of any settlement with Israel, its leaders have indicated that they do not wish to take over from Fatah. Nor are they looking to negotiate directly with Israel. In the dialogue between Hamas and Fatah, Hamas has sought a power-sharing arrangement that would recognize Fatah as the largest, but not necessarily the dominant, partner. Among the specific formulas discussed, Fatah has proposed an interim leadership composed of the secretaries general of the fifteen Palestinian principal factions, which Hamas rejects on the grounds that it gives them no more weight than any of the marginal factions. Hamas's

own proposal is for a leadership composed of all the factions but weighted to reflect estimated popular support. Under this last scenario, Hamas in all the discussions has asked for a weighting smaller than that of Fatah; Fatah would also be able to count on most of the other factions siding with it on most issues. It is possible that Hamas's relatively modest demands may simply reflect its assessment of present circumstances; there are many within the movement who see the current of events flowing strongly in their favor, which could lead them to conclude that they have only to be patient for the leadership of the Palestinian people to fall to them, without a confrontation, by virtue of events. As for Fatah, the question is whether it would accept any kind of power-sharing with Islamist elements, or, more broadly, whether it can move from the politics of domination to the politics of accommodation needed to build legitimacy.

CAN THE LEOPARD CHANGE ITS SPOTS?

There will be some who will see any Hamas or Islamist involvement in a negotiated process of conflict management or resolution cease-fire as a strategic mistake. Such participation has been perceived both as an Islamist stratagem to position themselves better to pursue armed struggle in the name of Islam, and as a means of allowing an injection of an avowed Islamist political current into a Palestinian environment believed to be inherently secular. The almost visceral distrust and antipathy toward any expression of Islamist political sentiment by the neoconservatives and their supporters in the Bush administration blinds them to the fundamental issues of justice and democratic reform that the Hamas leadership reflects within the Palestinian body politic. Yet for diplomats and others who have been closely involved in mediating a dialogue with Hamas that has evolved over a decade—a dialogue that has led the movement to recognize the need to seek a political route with Israel and to strive for a balance rather than a monopoly of power in the local arena—such fears are not worth the risks of excluding the faction.

The metaphor of the leopard and its spots, however, is deeply felt by Israelis, who fear that Hamas will never change or give up its ambitions to destroy their country. The evidence, however, does not sustain the view of Hamas as immutable. Hamas has evolved a political agenda and ideas that have taken the movement a substantial distance from its *mithaq* (Charter) of 1988, which called for the total liberation of Mandate Palestine. The movement's mechanism for recognizing Israel, based on the concept of long-term cease-fire, is analogous to the political evolution that occurred at an earlier stage within Fatah. Indeed, this kind of evolution is common to conflict transformation in other deeply divided contexts, such as South Africa and Northern Ireland. As an example, in 1985 Oliver Tambo, a leader of the African National Congress (ANC), declared that armed struggle was a part of the ANC's strategy along with international mobilization in support of the struggle, the people's political activities within the country, and unity of action in resisting apartheid. Tambo's statement that "we say [that] to remove armed struggle, the regime

should first remove apartheid, which is the cause of armed struggle,"[16] is very much parallel to Hamas statements about Israel's occupation.

Based on our experience with conflict resolution, we would refute the view that Hamas is quintessentially committed to terrorism and incapable of the kind of journey from armed struggle to negotiated settlement undertaken by the ANC and IRA.[17] We would argue that Hamas has more in common with armed groups such as the IRA, the Tamil Tigers, and the Ulster Defense Association than with Islamist terrorists like al-Qa'ida. Yet in these other cases, reciprocity—involving either other armed elements or states—has been key to political progress. Like these organizations, Hamas (despite its religious character) is and remains a national Palestinian movement centered on mobilizing a community to resist an illegal occupation. Moreover, an examination of the history of Palestinian Islamism clearly shows its origins as a national, social, and political movement; only relatively recently did it adopt tactics defined as primarily terrorist. The critique of Hamas in and of itself is very much intertwined with the fiercely debated issue of armed struggle versus terrorism shaped by the phenomenon of suicide operations, which are conducted not only by Palestinian Islamists but by secular Palestinian factions as well. In the end, however, our argument for their inclusion in the political process rests less on the judgment of their reliability as a partner for peace than on the simple fact that any outcome that deliberately excludes such a major current of Palestinian politics is unlikely to prove durable. Agreement without the Islamist movement might be possible in the short term, but it would almost certainly break down in the long term.

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The argument that Hamas's inclusion in the political process would encourage the Islamization of an essentially secular people ignores the fact that a process of this kind lies largely beyond Israeli and American control. It is impossible to foresee the impact of the myriad regional Islamist currents on the West Bank and Gaza, but what can be said with certainty is that continuation of the conditions of recent years cannot but strengthen Islamism's appeal to the population. Islamism flourishes in the absence of democracy. In a situation where ordinary life supports collapse—when the governing authority fails, employment evaporates, food becomes scarce, and hope is abandoned—Islamists offer a meaningful alternative. And though economic deterioration may have given some impetus to the trend toward Islamism, there is no question that Islamist discourse, with the decline of secular Arab nationalism, has penetrated deeply and that the Islamists have become the torchbearers for many ordinary people. Nor is it yet known how the inclusion of Hamas would affect the religious or secular character of a Palestinian government: only when free elections, based on the prospect of an imminent and credible Palestinian state, are held might this be settled. Hamas leaders have said that they have no set policy on this issue but have indicated to persons who have been involved in

sustained dialogue with them that imposition of *shari'a* law on the Palestinian polity is not on their agenda. Moreover, it is already clear that a Palestinian constitution would cede Islam as the official faith of the state, and in many respects this is enough to give a Muslim character to any future Palestinian state.

Finally, it should be emphasized that the Islamists do not need inclusion in the political process to be legitimized: the events of recent decades have done that already. Democratic pluralism is essential for the simple reason that without it—if the Palestinian polity becomes further divided—there can be little prospect of a Palestinian leadership capable of reaching a settlement with Israel.

Henry Kissinger has asserted that "Hamas is not Sinn Fein,"[18] but we argue that if Hamas's political strengths are accurately assessed and its overtures for dialogue sensitively handled, it is as capable of transformation from armed struggle to negotiated peace settlement as was the Irish republican movement. Whether Israel withdraws from Gaza or not, the issue of Hamas and its political strength will not disappear. External actors, instead of engineering Palestinian leadership solutions without real legitimacy, should begin to cultivate a constituency and understanding within Israel for the need to reassemble legitimacy and seek an accommodation with the Palestinians. At the same time, they should foster formal and informal Palestinian efforts to create a coalition of shared objectives. It is of course always easier to continue in a linear track, but there are times when it may be necessary to retrace steps. What is beyond doubt is that this is one conflict where parties promoting a negotiated, durable solution must endeavor to "think out of the box," which in this case, whether they like it or not, cannot but entail seeking ways of adding Hamas to the equation for peace.

NOTES

1. See Palestinian Center for Policy and Survey Research public opinion poll no. 10, December 2003, online at http://www.pcpsr.org/survey/polls/2003/p10a.html.

2. Beverley Milton-Edwards, *Islamic Politics in Palestine* (London: I. B. Tauris, 1996); Khaled Hroub, *Hamas* (Washington, D.C.: Institute for Palestine Studies, 2000); Ziad Abu Amr, *Islamic Fundamentalism in the West Bank and Gaza Strip* (Indianapolis: Indiana University Press, 1994).

3. Jonathan Rauch, "Like It or Not, Israel's War with Hamas Is America's Too," *The National Journal*, 7 April 2004.

4. Beverley Milton-Edwards, "Political Islam in an Environment of Peace," *Third World Quarterly* 17, no. 2 (Summer 1996), pp. 199-225.

5. STRATFOR, "The Palestinian Strategy," 24 June 2002. "Palestinian strategy makes no sense except in the context of alignment with al-Qaeda . . . the goals of the Palestinians and those of al-Qaeda have converged."

6. Walker Connor, *Ethnonationalism, The Quest for Understanding* (Princeton: Princeton University Press, 1994), p. 161.

7. William Zartman and Maureen Berman, *The Practical Negotiator* (New Haven: Yale University Press, 1982), pp. 66-78; Saadia Touval and I. William Zartman, eds., *International Mediation in Theory and Practice* (Boulder: Westview, 1985), pp. 258-60; and John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, D.C.: United States Institute of Peace Press, 1997).

8. Khalil Shikaki, "Palestine Divided," *Foreign Affairs* 81, no. 1 (Jan.-Feb. 2002), p. 89.

9. See Beverley Milton-Edwards, "Secure in their Rights? Internal Security and Citizenship under the PNA," in Nils Butenschon, Uri Davis, and Manuel Hassassian, eds., *Citizenship and the State in the Middle East* (Syracuse: Syracuse University Press, 2000).

10. Interview with Isma'il Hanniyya, Gaza City, August 2002.

11. Interview with Hajj Mustafa Hajj Ali, member of Hizballah political council, Beirut, December 2002.

12. See Alastair Crooke and Beverley Milton-Edwards, "Costly Choice: Hamas, Cease-fires and the Palestinian-Israeli Peace Process," *The World Today* (December 2003), pp. 15-17.

13. Interview with Mahmoud Zahar, Gaza City, September 2002.

14. Referenda were held in 1998 in both the North and South of Ireland, in addition assembly elections were also built into the agreement.

15. Interview with Isma'il Abu Shanab, Gaza City, September 2002.

16. See http://www.liberation.org.za/collections/anc/people/tambo/pr/zim85.php.

17. Steven Simon and Jonathan Stevenson, "Help the PA Push Out Hamas," *Wall Street Journal* (European edition), 16 January 2004.

18. See Henry Kissinger, "The Hamas Factor," *IISS Strategic Comment* 10, no. 4, May 2004. Richard English charts the transition within Irish republicanism in *Armed Struggle—The History of the IRA* (Oxford: Oxford University Press, 2003).