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## HAMAS AFTER SHAYKH YASIN AND RANTISI

KHALED HROUB

*This article paints a broad canvas of Hamas after almost four years of intifada and a relentless multipronged Israeli-U.S. assault against it. The movement's views and strategies are discussed with regard to suicide attacks, the intra-Palestinian dialogue and cease-fire negotiations, and conditions for a peace settlement. While Israel's assassination of leadership cadres has unquestionably dealt the movement a serious blow, the author argues that Hamas has nonetheless made three significant strategic gains: its "resistance project"—contrasting with PLO negotiations policies—has gained ground as a "national agenda"; Arab and Muslim support, fueled by rising outrage at U.S. and Israeli policies, has grown; and, most importantly, Palestinian support at the grassroots level has never been greater, resulting in increased political weight even as the movement's military strength has declined.*

IN THE SPRING OF 2004, Israel's assassination policy, in force almost since the beginning of the intifada, culminated in the killing of Hamas's top two leaders—Shaykh Ahmad Yasin, the leader, founder, and spiritual symbol of the movement, on 22 March, and Dr. 'Abd al-'Aziz Rantisi, Yasin's successor, on 17 April.<sup>1</sup> The assassinations triggered massive demonstrations across the Arab world and an unprecedented outpouring of sympathy throughout Palestinian society. A poll carried out in the West Bank and Gaza Strip two weeks after Yasin's killing found Hamas, for the first time, the most popular movement in Palestine.<sup>2</sup> Though the poll's results were undoubtedly colored by the wave of rage and sympathy that swept the occupied territories at the time, no one would question that Hamas's popularity has been steadily on the rise since the intifada began. If there is one immediate observation that can be made in the wake of the killings, it is the continuing rise of Hamas's popular legitimacy set against the continuing decline of that of the Palestinian Authority (PA).

The twin assassinations and the reactions that followed could be said to encapsulate the paradox, for Hamas, of the al-Aqsa intifada: even as the movement has been seriously weakened by a relentless campaign to uproot it, its popularity has reached unprecedented heights. The concerted Israeli-U.S. campaign to destroy or marginalize Hamas has been multipronged: in addition to

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Israel's policy of assassinating and arresting its cadres, the PA is under constant pressure to demilitarize it, its funding channels have been blocked, intelligence services exchange information on its movements and membership, Arab states are pressured not to meet with its officials and to close down Hamas offices within their jurisdictions, its network of charitable institutions is under assault, and efforts are ongoing to outlaw Hamas's *political* wing as a terrorist organization worldwide. Yet with each new spate of killings, arrest sweeps, or institutional crackdowns targeting Hamas, its popular legitimacy grows. The dilemma that has faced Israel, the United States, and even the PA is that the movement is deeply rooted in Palestinian society.

The reasons for Hamas's popularity are not difficult to find. At a time of unprecedented hardship, humiliation, and despair, as Palestinians see that all they have gotten for the historic concessions made by their leadership is massive destruction and the dismemberment of their remaining lands, Hamas is seen as the voice of Palestinian dignity and the symbol of defense of Palestinian rights. As Israel continues unchecked its assaults on villages and camps, Hamas is seen as the force that refuses to capitulate. Hamas also benefits from its long history of providing extensive welfare assistance and services to all Palestinians "without distinction as to religious belief or political affiliation."<sup>3</sup> And while high PA officials mostly live separate from the people in varying degrees of luxury, Hamas leaders live among the people and are seen as sharing their hardships; their reputation for clean conduct, modesty, and honesty has been pointedly contrasted with the conduct and corruption of many PA officials. Moreover, America's increasingly unqualified support of Israel's most brutal measures and most hard-line positions on final status issues, together with what is seen as the obsessive U.S. targeting of Hamas—and this at a time when anti-American feeling has reached unimagined heights—only adds to its support.

### THE DILEMMA OF BEING SECOND

Hamas—the Islamic Resistance Movement—became a major player on the Palestinian scene from the moment it emerged out of the Palestinian Muslim Brotherhood in December 1987, at the outbreak of the first intifada. From the beginning, it posed a counter to the PLO and its member factions. Not only was it religious rather than secular, but it offered an alternative vision of Israel. Thus, while the PLO since 1974 had been seeking accommodation with Israel and the United States, Hamas stood for resistance until the full recovery of Palestinian rights. At the same time, Hamas invested heavily in the schools, charities, and social welfare institutions established by the Muslim Brotherhood, developing and expanding them into a powerful network that reached the poorest strata of society, providing needed services when other parties were absent. Although this article pays special attention to Hamas's military dimension, it should be borne in mind that the actual and sustained weight of the movement, from which its popularity derives, lies in its politico-societal dimensions: its political standing, social and charitable services, religious activities,

educational facilities, and so on. These aspects, overlapping and mutually supportive of each other, are run completely separately from the military, though all Hamas's "agencies" are supervised by the political bureau in keeping with the movement's overall strategy.

Hamas from the outset was the second major player in Palestinian politics. This status has been both a curse and a blessing: a curse in that its secondary position did not allow it a say in decisions affecting the rights of the Palestinians; a blessing in that it relieved the movement of blame for compromises sometimes made under duress; at the same time its secondary status gave it a flexibility and margin of maneuver not available to the Palestinian leadership. With the initiation of the peace process, its opposition to the negotiations and strategy of "resistance against occupation" placed it in the somewhat sensitive position of being in direct opposition to the first Palestinian player, the PLO representing the "mainstream" national movement. The situation became even more delicate after the creation of the PA, whose primary responsibility as Israel saw it was to maintain "security" in the occupied territories by stamping out any resistance and later, explicitly, "Palestinian terrorism"—a code name for Hamas and the other resistance factions. But as Israel was unwilling to empower the PA by conceding even minimal Palestinian rights, it increasingly lost legitimacy and, being unable to impose its strategy, appeared increasingly impotent in the eyes of the population.

Even so, Hamas was keenly aware of its position as "second" vis-à-vis the dominant player, and in deciding on a course of action, always took care to strike a balance between this position and its assessment of the prevailing political environment. The use of suicide attacks is a case in point. Hamas launched its first such attack in February 1994, at a time of national rage following the massacre of forty Muslim worshipers at the Hebron mosque by an American-born settler. Thereafter, the pace of its attacks varied according to political and popular conditions on the ground: when the popular mood is hopeful about the peace process or favors giving peace a chance, Hamas slows down or even stops the attacks; indeed, there were almost no Hamas suicide attacks during 1998, 1999, and 2000.<sup>4</sup> Shaykh Yasin succinctly articulated Hamas's policy on suicide bombings in a September 2003 interview. When asked whether the attacks would continue irrespective of circumstances, he replied in the negative, and explained, "If we perceive that the atmosphere favors such a decision, we stop. And, when we perceive that the atmosphere has changed, we carry on."<sup>5</sup> In general, the wider the gap between the peace strategy and the attainment of Palestinian rights, the more room Hamas has to pursue its resistance strategy.

Though Hamas's charter presents a "historic" vision whose goal is the total liberation of Mandatory Palestine, in practice it has implicitly accepted the goal of a two-state solution to be reached by negotiations in keeping with UN resolutions. If such a solution cannot be reached, as Hamas has long maintained, then its only remaining option is "resistance against occupation until liberation." To this strategy Hamas adheres absolutely, refraining from declaring any

"short-term strategy." No detailed declarations are made on what Hamas would consider acceptable in terms of a settlement or how it would see its own role: "Withdraw first, and then we'll take things as they come," is its position. Everything is summed up in the simple phrase, tirelessly repeated: "Wherever a military occupation exists, a military resistance should be expected and exercised. Such a resistance, taking various forms, would only stop when the occupation ends."<sup>6</sup> This policy has proved effective and pragmatic. First, it states in simple terms what is both logical and difficult to argue against. Second, it elides Hamas's religion-based arguments that are difficult to sell. Third, it provides the theoretical umbrella for everything Hamas does in the political and military domains; its policies as well as its actions emanate from, and are justified by, this singular conviction.

During the "interregnum" year between the end of Oslo's five-year interim period in September 1999 and the eruption of the second intifada in September 2000, Hamas was at a crossroads. Perceiving a threat of marginalization by the PA with the approach of the final status talks, the movement initially contemplated a course of action that would be tied to developments on the negotiating front. In the end, however, it concluded that its pragmatism and multitrack conduct would allow it to adapt to any eventuality. If the final status talks did not result in an agreement even minimally acceptable to Palestinians, as seemed likely, Hamas, having endorsed no preconceived political program, would continue as before, its strategy unchanged. If, on the other hand, the PA signed on to a deal, Hamas could simply put its "resistance" strategy on hold until the agreement, which it was convinced would fall short of Palestinian aspirations, broke down of its own accord. In the meantime, Hamas could re-form itself as a political party, confident that it would remain an important force in the Palestinian arena as the embodiment of the ultimate aspirations of the Palestinian people and by virtue of its accomplishments.

This was the thinking within Hamas's ranks at the time of the Camp David talks in July 2000. Although Hamas never believed that the gap between the PA and Israel could be closed, there was nonetheless relief when the talks collapsed. In Hamas's estimate, the failure was a national gain that put an end to the concessions giving away Palestinian rights. It also saw the collapse as a vindication of its policy of resistance until full recovery of Palestinian rights.

#### **THE NEW LANDSCAPE OF THE AL-AQSA INTIFADA**

Ariel Sharon's provocative visit to the Haram al-Sharif in September 2000 touched off the second intifada. The PA, represented by its political and military backbone Fatah, was drawn into the fighting from the very beginning. Hamas welcomed the outbreak of the fighting not for its own sake, but as an unambiguous repudiation of the policy of accommodation with Israel. Moreover, the apparent abandonment of the totally asymmetric peace process by

the PA and Fatah, heavily involved in the fighting, was seen by Hamas as an unprecedented endorsement and adoption of its own “resistance by all means” approach.<sup>7</sup> Very quickly, however, it became clear that the PA and the Fatah leadership were hoping to use what they thought was a short popular uprising to improve their negotiating position—a loose strategy marked by mixing means and goals. Indeed, PA negotiations with Israel were continuing on the sidelines of the intifada, culminating in the short but desperate attempt to emerge from the impasse at Taba, three months after Camp David. Hamas’s reaction to the Taba talks—as to later political attempts to relaunch the peace process<sup>8</sup>—was to repeat its known rejectionist position that the terms upon which the talks were based, mainly borrowed from Oslo rationale, could only lead to further concessions damaging to Palestinian rights.

Hamas thus saw the al-Aqsa intifada as revitalizing the resistance approach across the Palestinian political spectrum, with all the factions participating in accordance with their power in the street. In the early stages of the fighting, some fourteen factions banded together to form a loose collective leadership, the National and Islamic Higher Committee for the Follow-Up of the Intifada (NIHC), with Hamas and Fatah dominating. It was around this forum that the idea originated of cooperation between the al-Qassam Brigades, Hamas’s military wing, and the al-Aqsa Martyrs Brigade (AMB), a new force made up of Fatah elements apparently acting semi-independently of the PA and the Fatah leadership. More broadly, the factions entered into long discussions to formulate a “unified national political program” to improve coordination. One of the main proposals was the “August 2002 Document,” which called for a total end to the Israeli occupation and the settlement presence in the occupied territories, the creation in the territories of a fully sovereign Palestinian state with Jerusalem as its capital, and for the refugees’ right to return to their homes left in 1948. Hamas’s influence—already greatly increased in two years of the intifada—prevailed in that document both in its omission of any reference to UN resolution 242 (which recognizes Israel) and with regard to its emphasis on the legitimacy of *all* forms of resistance to achieve these ends.<sup>9</sup>

But Hamas’s celebration of this new “collective” Palestinian effort at “resistance” and its own military cooperation with Fatah forces in the AMB also meant a new competition on its own terrain. In the first months of the intifada, the PA and Fatah were in effect taking the lead. Between the two, they had larger fighting forces, greater quantities of weaponry acquired under the Oslo accords, and more developed military infrastructure and communications. The PA also had control over the Palestinian media, especially public television, giving it a crucial means of projecting itself as the leader and principal vehicle of the intifada. This being the case, Hamas was pushed into “second” status even in the domain where it had played the lead role since the Oslo agreements. In need of counterbalancing the partisan losses to the movement this entailed, Hamas geared up to use its most violent weapon, which no other Palestinian

organization could match: suicide attacks. In early March 2001, as the intifada was entering its sixth month, Hamas launched its first suicide attack since 1997.

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***Widespread public approval of suicide attacks is a measure of the extreme brutality of Israel's assaults on Palestinian localities and the wanton destruction of property and agricultural land.***

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The widespread public approval of the suicide attacks is a measure of the extreme brutality of Israel's assaults on Palestinian towns, villages, and refugee camps and the wanton destruction of property and agricultural land. Without the public rage and despair that resulted, Hamas would not have been able to stretch its military attacks to the level achieved in the ongoing cycle of attack and revenge. By the second year of the intifada, Hamas had recaptured the "resistance scene": through its suicide attacks, it regained its position at the forefront

of the "national resistance project" and outbid Fatah and all other factions in the field.<sup>10</sup>

#### **THE EGYPTIAN ROLE: MEDIATING THE *HUDNA***

Suicide bombings were far from the only form of military resistance employed by Hamas, which deployed roadside bombs, organized armed attacks on IDF posts, and targeted settlements and military installations with mortars, grenades, and its own locally made Qassam missiles. It should also be mentioned that many of the Israeli deaths from Hamas attacks, both suicide and otherwise, were IDF soldiers or armed settlers, not civilians.<sup>11</sup> Nonetheless, there is no doubt that suicide attacks were the most effective and the most visible weapon deployed during the intifada, and the outcry against them, both regionally and internationally, was swift and strong. The pressure on Hamas—and on Palestinians in general—became all the greater following the 11 September 2001 attacks in New York and Washington, which enabled Sharon successfully to equate the Palestinian resistance with international terrorism and, more particularly, to liken Hamas to al-Qa'ida.<sup>12</sup> Sharon began to call on the PA explicitly to "dismantle terrorist organizations" (instead of simply to "end all terrorist activities"), in April 2002 he used suicide bombings as a pretext to launch a massive reinvasion of the West Bank, virtually destroying PA infrastructure. If the PA even at the height of its powers and prestige during the Oslo years had been unable effectively to rein in Hamas, imposing restraints on the movement now became even more difficult, especially given Hamas's increased popularity and the PA's declining popularity and legitimacy.

By the end of the second year of the intifada, with the PA severely crippled and suicide bombings, by their very nature, almost impossible to stop by force, the Egyptians, encouraged by the Saudis and Jordanians, embarked on a serious effort to bring them to an end through diplomatic means. The engagement of Egypt, which had some leverage over Hamas, was badly needed by Israel, the United States, and the PA. Egypt, for its part, had long viewed Gaza as important for its security and hoped through its involvement to win points both with Arab opinion, through projecting itself as a dynamic regional actor and as helping the Palestinians, and with the Americans.

In November and December 2002, Cairo coordinated several rounds of talks between Fatah and Hamas, expanding them in January 2003 to include twelve factions. The Egyptian (and PA) position was that all attacks against Israeli civilians inside the Green Line are grossly counterproductive, giving Sharon the pretext to intensify incursions into Palestinian areas and destroy the structures of the Palestinian state-in-the-making. Hamas's position was that the suicide attacks are the Palestinians' only remaining card and that it could only be renounced in exchange for concrete Israeli assurances to end its attacks on Palestinians. The Egyptian-led talks focused on what came to be known as "The Egyptian Paper."<sup>13</sup> Beyond rhetorical calls for "a unified national program" and "realizing national unity," the paper mainly proposed that the Palestinian factions declare a unilateral truce (*budna*) for one year on a trial basis, during which time peace talks would resume and Israeli intentions would be tested. At the same time, Cairo asked Israel to declare an immediate cessation of its assassination policy targeting leaders of Hamas and other factions, or at least to hint that it would do so if the Palestinians stopped their attacks. The Israelis, however, ignored the request and even indicated that it would not give such assurances even if Egypt succeeded in extracting a collective Palestinian commitment to halt violence. Without any hint of reciprocity from the Israeli side, Hamas and Islamic Jihad not only rejected outright Egypt's appeals to put military activities on hold, but explicitly declared their intention to resume them. Rantisi, for example, wrote that a unilateral declaration to end military attacks "means a victory for Sharon's brutal policies . . . [and] will be understood by Israel as a declaration of defeat."<sup>14</sup>

Under continuing American pressure, the Egyptians resumed efforts to mediate a unilateral Palestinian cease-fire. In the last week of June 2003, after further rounds of meetings, they finally succeeded in persuading Hamas and the Islamic Jihad to declare a three-month *budna*. The text of this fragile, unilateral truce states that "all Palestinian factions signing this document will put their military attacks on hold for three months. In return, Israeli attacks against the Palestinian people and towns must stop immediately, the siege on Palestinian towns must be lifted, and all Palestinian prisoners must be released." The document also states that "if the Israeli army commits any attack against Palestinians, this truce becomes void."<sup>15</sup> But even as agreement was being reached, the Israeli army carried out a massive arrest campaign, rounding up more than three hundred Hamas members and sympathizers across the Gaza Strip and assassinating at least three Hamas members in the West Bank. Despite these acts and the continuation of its relentless assassination program, Hamas did not break the truce. In a 3 August meeting with Israeli foreign minister Silvan Shalom, PA external affairs minister Nabil Shaath suggested extending the truce indefinitely in return for a reciprocal Israeli pledge. The Israelis refused, declaring that the truce was a Palestinian internal affair and vowing to continue to fight "Palestinian terrorism."<sup>16</sup> And so they did. On 21 August 2003, seven weeks into the undeclared truce, Israeli helicopters assassinated Isma'il Abu Shanab, one of the most moderate voices within



Hamas and the “engineer” of the *budna*.<sup>17</sup> Furious, Hamas resumed its suicide attacks.

### TARGETING HAMAS

Throughout the truce talks, concerted assaults against Hamas never let up. The most blatant was Israel’s assassination of Hamas leaders and cadres. There were also intense political and “diplomatic” pressures by the United States, working in concert with Israel, to marginalize and if possible destroy the movement, and a campaign to cut off its funding.

Israel launched its assassination program almost immediately after the outbreak of the al-Aqsa intifada. The policy was not simply a response to the immediate situation, however, but the occasion to apply a broader strategy aimed at eliminating popular resistance figures, both military and political, who had no potential for becoming “partners.” In effect, the aim was to

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***The aim of Israel’s assassination policy is to restructure Palestinian politics by “clearing” the way for the emergence of more “moderate” movements.***

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restructure the Palestinian political scene by “clearing” the way for the emergence of more “moderate” movements and leaders. The policy targeted not only Hamas and Islamic Jihad, but also Fatah, the PFLP, and the DFLP. Nonetheless, Hamas has been targeted more than any other organization and its losses have far outstripped those of any other group. Assassinations either acknowledged by Israel or considered beyond dispute by international sources reach about 200 for all the factions,

half of which are Hamas. But in fact, the numbers are far greater, for in addition to the obviously targeted assassinations (rockets fired from helicopter gunships, sniper attacks, car bombs, and remote-control explosives aimed at specific individuals, not to mention a number of instances of half-ton bombs dropped by F16s on buildings where targeted individuals are suspected to be), there are at least weekly incidents of “wanted” Hamas cadres being killed during raids on specific houses, incursions, clearly provoked gun battles, mysterious explosions, and so on. Detailed Hamas records have been systematically maintained only since mid-2001, more than six months after the intifada began. Since that time, more than 320 Hamas assassinations have been documented; considering the entire period of the intifada, Hamas has lost an average of two men a week from assassinations, ranging from low or middle ranking members or cadres to top leaders, both military and political.<sup>18</sup> One of the hallmarks of the policy is the wanton indifference to the number of civilians killed in the supposedly “targeted” attacks. The most striking example is probably the 22 July 2002 assassination of Salah Shehada, one of Hamas’s top military leaders, using sixteen bombs dropped by an F16 fighter plane that also killed fifteen people, including seven children, and destroyed twelve houses.

At the international level, the United States has spearheaded the campaign against Hamas both diplomatically and by blocking its funding channels, though U.S. public pronouncements rarely referred to Hamas by name, preferring the

more generic term “terrorist organizations.” (On 25 June 2003, however, President George Bush did say “In order for there to be peace, Hamas must be dismantled,” and a week earlier Secretary of State Colin Powell had declared in Jericho that “the enemy of peace has been Hamas.”) “Ending terrorism” has been at the heart of all U.S. “mediation” and “peace” efforts, with the progressively weaker and more discredited PA being held responsible for doing the job. As the intifada has progressed, the U.S. demands on the PA have escalated: while the May 2001 Mitchell Plan asked only that it make a “100% effort to halt violence,” the Tenet work plan a month later demanded that it immediately “undertake *preemptive* operations against terrorist operations,” and the April 2003 road map required that it undertake “sustained, targeted, and effective operations aimed at confronting all those engaged in terror and *dismantlement of terrorist capabilities and infrastructure.*” In fact, the U.S. formal presentation of the road map was explicitly linked to the PA’s perceived ability to end the violence, with Washington declaring in March 2003 that the plan would not be released until the PA appointed a “credible” prime minister with “real authority” (i.e., authority to curb Hamas and the factions).

Indeed, the PA, seriously weakened by Israel’s destruction of its infrastructure during the spring 2002 full-scale onslaught of the West Bank and virtually boycotted by the United States ever since the Karine A “terrorist ship” affair of December 2001, had shown more and more willingness to meet Israeli-U.S. conditions—tacitly endorsed by some Arab states—for resuming peace negotiations. Besides the requirement to end all forms of Palestinian resistance, the other major condition was sweeping reform within the PA, mainly aimed at curbing Arafat’s power and revamping the security forces in such a way that they could clamp down on Hamas and the other resistance factions. Arafat, confined to his headquarters and bloodied politically with charges of mismanagement of financial and security affairs, finally succumbed to external pressure and in April 2003 appointed Mahmud Abbas, who had publicly called on Palestinians to end the violence,<sup>19</sup> as the first Palestinian prime minister, whereupon the U.S. released the road map.

But Abbas, in conflict with Arafat over control of the security apparatus, was not able to move against Hamas, and his efforts to end the violence mostly took the form of participation in the *budna* negotiations with the various factions, including Hamas, under Egyptian auspices. It was, however, during his brief tenure that Muhammad Dahlan, his state security minister, allegedly formulated a seven-stage plan whose ultimate aim was to pacify Hamas by demilitarizing it and transforming it into an exclusively political movement. The first step was to try to persuade Hamas to stop military attacks within the Green Line and turn over its weaponry to the PA. Failing that, the next steps were progressively harsher, with step seven being a complete crackdown “by all means.” Dahlan himself has fiercely denied authoring the plan, accusing some of his enemies of fabricating it to discredit him. Whatever the case, a copy of the proposal was leaked to Hamas, which sent a sharp message to the PA stating that the days when Hamas could be eliminated were long gone.<sup>20</sup>

Hamstrung by Arafat's refusal to grant him real power, Abbas resigned in September and was replaced by Ahmad Qurai'. The United States wasted no time making its expectations known, with Bush declaring that the Palestinians must "get security forces under control . . . and then to unleash those security forces against the killers" and that "the most important condition for peace is to dismantle organizations whose vision is to destroy peace." Qurai', however, has been no more successful than his predecessor either in resuming talks with Israel or in confronting Hamas. Meanwhile, the United States, which blames Arafat for dragging his feet in moving against Hamas and the other resistance factions so as to use them as leverage in negotiations, continues to demand the dismantlement of the "terrorist infrastructure." George Bush's letter to Ariel Sharon of 14 April 2004, which warmly endorsed the unilateral Gaza disengagement plan and for all practical purposes rephrased Israeli positions on settlements and refugees, emphasized the need for dismantlement of "terrorist organizations" no less than four times, calling on the international community, the Arab states, and the PA to cooperate in the effort. Possibly significant in this regard is the May 2004 exchange of messages between Mubarak and Sharon concerning a security role for Egypt in Gaza following an Israeli withdrawal that could involve policing the border to prevent arms smuggling to Palestinian factions, namely Hamas. The messages were negotiated over several months by Egyptian intelligence head Omar Sulieman meeting separately with Sharon and Arafat. Mubarak's message reads "We are willing . . . to make every effort to assist the Palestinian Authority to fulfill its obligations according to the road map, including the improvement of the security situation in all the Palestinian territories."<sup>21</sup> The extent of this involvement is not spelled out, but even if it falls short of a policing role, the agreement is a worrisome development for Hamas. Nonetheless, Hamas's statement on the subject dated 2 June 2004 is couched in the mildest terms possible.<sup>22</sup>

As for the moves to cut off Hamas funding, they have focused most visibly on the Islamic charities and welfare institutions, which have always been one of Hamas's major strategic strengths. Though Israel has long targeted the charities, the United States has been at the forefront of the campaign, which intensified after 9/11 when President Bush closed down and froze the assets of the largest U.S. Muslim charity in America, accusing it (without evidence) of diverting funds to Hamas military activities. The United Kingdom followed suit, freezing the funds of Interpal, a Palestinian charity, though the order was revoked by a U.K. court for lack of evidence. While most of the international community makes a distinction between Hamas's charity work and its military activity, the United States has been actively mobilizing—with surprising success—the European Union to follow its lead in banning all assistance to any organization with affiliation with Hamas.

The Israelis—and now the United States—claim that the Islamic social welfare organizations channel funds to support Hamas's military activities, but the real intention behind the campaign to cripple the charities is to deny Hamas the immense credit and appreciation it draws from them. The PA, yielding to

Israeli and U.S. pressures, has taken a number of measures against the charities: On 24 August and 10 November 2003, Arafat issued decrees instructing the PA financial authorities to freeze the bank accounts of twelve Islamic charities in the West Bank and thirty-eight in the Gaza Strip.<sup>23</sup> Thousands of Palestinian families took to the streets in protest against both decrees, and in November they threw stones at the Legislative Council in Gaza. According to Abdul Rahman Abu al-Ata, the spokesman of the affected organizations, together they provided monthly financial assistance to 120,000 Palestinians, with an additional 30,000 receiving help on an annual basis.<sup>24</sup>

Curtailing the charities succeeded neither in lessening Hamas's attacks nor in reducing its popularity. As the International Crisis Group noted in its April 2003 report on the charities, such measures "would worsen the humanitarian emergency, increasing both the motivation for Hamas to sustain its military campaign and popular support for it." The report also notes that there is no substantial evidence that the institutions divert funds to military activities, and quotes independent sources, including senior officials with the UN and USAID in Gaza, as saying that Hamas "is strict about compartmentalizing its activities."<sup>25</sup> Despite the harsh measures against them, the charitable organizations have continued to function, albeit at a lower level, as will be seen below.

#### **HAMAS AFTER YASIN AND RANTISI**

With the assassinations of Yasin and Rantisi, Hamas is entering a new phase. The death of Rantisi is in a sense the more serious loss, despite Shaykh Yasin's greater influence and prestige. The quadriplegic and frail Yasin was already critically ill at the time of his assassination and was not expected by his doctors to live much longer. This being the case, his assassination could even be considered a gain for Hamas, as the outpouring of admiration, throughout Palestine and far beyond, for his fearlessness and uncompromising defense of Palestinian rights could only reflect on the movement he founded, even while making him even more of an inspiration for Hamas itself and for Palestinians in general. At the same time, though Yasin was the ultimate authority and point of reference for the movement, he was not involved in its day-to-day affairs, so his death will not disrupt its functioning. On the other hand, the death of Rantisi—energetic, dynamic, still relatively young—constitutes an unmitigated loss for Hamas. A skillful organizer, field leader, and talented orator, he enjoyed both great popular and unquestioned legitimacy as one of the original founders.

Following Rantisi's assassination, Hamas discontinued its long practice of making public the names of its top leaders in Gaza, though Dr. Mahmoud Zahhar is widely believed to have replaced Rantisi as the head of the movement there. (The names of the West Bank leadership, in any case less important than that in Gaza, have never been made public.)<sup>26</sup> It is doubtful that the new policy of "undeclared" leadership will improve the security of senior Hamas figures, since Israel targets Hamas leaders whatever their rank and whether "moderate" or "hard-line." Zahhar, for example, considered more moderate than Rantisi,<sup>27</sup>



**Palestinian mourners carry the coffin of Shaykh Yasin (front) and others during their funeral in Gaza City, 22 March 2004. (Mohammed Abed/AFP/Getty Images)**

was the target of an assassination attempt on 10 September 2003, when Israeli F16s dropped a one-ton bomb on his house. Since April, Hamas leaders and spokesmen—traditionally very accessible in keeping with their close ties with the “man in the street”—are taking extra security precautions: they are far less visible, more difficult to reach by the media and those outside their close circle, and constantly changing addresses to keep their whereabouts unknown.

One certain effect of the elimination of the two charismatic leaders is a shift in the balance of power between Hamas’s “outside” leadership and the “inside” leadership based in the West Bank and the Gaza Strip. Hamas’s top leadership structure consists of a political bureau and a consultative council. Membership in these two bodies has been divided almost equally between the inside and outside leaderships, with the inside traditionally having a slightly greater weight because of Shaykh Yasin’s presence and the very fact of being on the ground. With the assassinations, however, and the new policy of an “undeclared” leadership inside, the outside leadership is left with greater power and media weight to represent the movement. This means that Khalid Mishal, the head of the political bureau, is effectively as well as officially Hamas’s top leader.

In theory, a situation where military operations are carried out inside on “orders” from the outside could cause some strains or even a split within the movement. This could at first glance appear all the more plausible in that, by and large, the “outside” leadership is more radical than the inside leadership (perhaps because the geographical distance relieves them of the necessary pragmatisms of those actually pinned down by crossfire, both actual and political).

In practice, however, the possibility of any kind of split is slim: Hamas cadres inside Palestine know very well that, at the end of the day, the outside leadership represents an indispensable backup that can generate political and moral support, open or covert, with governments or popular movements. All the diplomatic, political, and financial efforts of the outside leadership feed into the daily functioning of the inside leadership. If the “insiders” work at the level of gaining further Palestinian legitimacy, the “outsiders,” free to travel and hold meetings with Arab officials and various organizations, undertake the same mission at the regional level.

On the ground, there is no question that Hamas has been seriously weakened by the decimation of its ranks through assassination and arrest, as is obvious from the decreased number of suicide attacks and Hamas’s inability to retaliate immediately for the assassinations of Yasin and Rantisi. Structurally, however, the movement has remained surprisingly intact. At a time when the local branches of a number of Palestinian organizations, more or less cut off from each other, are acting virtually autonomously without communication with their central leadership, Hamas is still functioning as a whole, its structures in the West Bank and the Gaza Strip remaining organizationally operative and linked in an impressive way. Hamas’s capacity for quick adjustment is undoubtedly due to its functioning structure at various levels—religious preaching, charitable work, political activities, and of course military operations—which provides the movement with a multilayered network difficult to dismantle. These layers support each other, immediately filling the gaps created by assassinations, arrests, or clampdowns.

An example of Hamas’s ability to adjust to unfavorable circumstance is its response to the PA’s freezing of funds of Hamas charities mentioned above. Although Hamas was clearly affected by the measures and was forced to scale back programs at a time of unprecedented hardship, its charities continued to operate thanks to a skillful handling of the situation. First, the charities continued to issue monthly checks to the beneficiary families as if the PA had not issued the decrees and the accounts had not been frozen. When the families would present the checks to the local banks and were unable to collect, the PA was put under enormous pressure and was portrayed as collaborating in the starvation of poor families. By following this policy, the Islamic charities shifted the “battle faultlines”: instead of the dispute being between themselves and the PA, it was now between the Palestinian poor and the PA. Yielding to the ensuing pressures, PA officials quietly allowed the bank managers to release monthly payments to the families (even though officially the PA refuses to comply with a 21 March 2004 decision by the Palestinian High Court calling for the measures to be revoked on the grounds they were unlawful). In addition, the charities have been holding local fundraising campaigns and the money collected is kept in cash. Since people trust the charities, they donate as much as they can. A recent example of these local fundraising campaigns was launched by the charities after the homes of hundreds of Palestinians in Rafah area were completely demolished by Israel in May 2004.

### LOOKING TO THE FUTURE

Significantly, even as Hamas has been weakened militarily, its political weight has grown, a function of its increased popularity and the parallel decline of PA legitimacy. One indication of this is the fact that the PA felt compelled to include it in the Palestinian delegation that was to attend the Arab summit planned for March 2004 in Tunis, hoping that the gesture would gain them credit with the population. Until recently, such a step would have been inconceivable unless Hamas had been officially integrated within the PLO, which it has always refused to do. In the end, the summit was postponed, and one of the undeclared reasons reportedly was that the Arab leaders, pressured by their public opinions to issue a collective statement condemning the Yasin assassination, feared that such a statement would give Hamas additional legitimacy and prestige (especially if its representatives were actually present). The Tunisian government, known for its harsh positions against "Islamist movements," was also reported to have objected to a Hamas presence. Indeed, the Arab states' misgivings about a possible Hamas presence—which would have formally legitimized the movement—highlights their predicament. On the one hand, many of the regimes feel threatened by their own domestic Islamic movements, making them leery of Hamas. On the other hand, they cannot ignore the extraordinary popular support that Hamas enjoys as the most determined resistance among their own populations and across the Muslim and Arab worlds. Support for Hamas is all the stronger given the unprecedented degree of outrage at Israel that is sweeping the Arab and Muslim worlds, to

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***Though the U.S. occupation of Iraq initially diverted attention from Palestinian sufferings, it has indirectly revived awareness of the Israeli occupation, which had begun to fade in the Oslo years.***

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which must be added the deep and growing rage against a United States seen as encouraging Israel's worst brutalities and as waging its own war against Islam—sentiments shared alike by the populations and governments (though more quietly). Indeed, though the U.S. occupation of Iraq initially diverted attention from Palestinian sufferings, it has indirectly "rehabilitated" the very concept of the "Israeli occupation," which had begun to fade somewhat during the Oslo years, as the two occupations have increasingly come to be seen as two sides of the same coin. All this has raised Hamas's profile and encouraged contacts with—and in some cases covert support for—the organization at the official level.

Hamas's increased political strength is also having an impact on its relations with the PA. While Hamas policy has always been to refuse recognition of the PLO/PA as the sole legitimate representative of the Palestinian people (at the Egyptian mediated *hudna* talks, it refused to sign any document with an explicit statement to this effect<sup>28</sup>), in the past it avoided making public its views on the issue. Within the changing context created by continuous erosion of the PA's popular legitimacy and the increasing brutality of Israel's assaults on the Palestinians, however, Hamas now considers itself strong enough politically to

raise the representation issue publicly if need be. It has not done so to date, but according to some Hamas leaders, Fatah dissidents have encouraged them to take "brave steps in this direction" because "the PLO no longer reflects the "Palestinian and popular landscape."<sup>29</sup>

The representation issue will almost certainly arise in the context of power-sharing talks occasioned by a possible Israeli disengagement from Gaza: in the circumstances, and given the public mood, the PA could have few illusions about its ability to "govern" Gaza without the cooperation of Hamas. Already in the weeks before his assassination, Shaykh Yasin was receiving messengers from PA leaders inquiring about Hamas's position on the Gaza withdrawal issue. One of the messages relayed to the PA on Shaykh Yasin's behalf was that Hamas would compromise neither on its ambition to power share the Gaza Strip nor on its military arsenal.<sup>30</sup>

Hamas's position on a Gaza withdrawal is that it welcomes the "liberation of any part of Palestine as long as it is unconditional and does not compromise Palestinian rights over other parts." This is hardly the case with the Sharon plan, but the very idea that Israel is considering a unilateral disengagement from Gaza is seen by Hamas as a vindication of its long-held insistence that uncompromising resistance will ultimately make the occupation too costly for Israel to maintain, as Hizballah demonstrated in southern Lebanon. A member of its political bureau recently went so far as to declare that "the idea of suggesting a unilateral Israeli withdrawal from the Gaza Strip is another sign of [the Zionist project's] retreat and defeat. And this is because of the resistance."<sup>31</sup> Given the unacceptable costs for the Palestinians of the disengagement plan as presented by Sharon and endorsed by the United States, Hamas is not publicizing this view widely, but there is little doubt that it would claim any redeployment as its own victory should the PA begin to "market" it as a "liberation achievement." Meanwhile, contacts between the PA and Hamas are ongoing—indeed, channels of communication between the two have never been blocked completely, with both parties regularly, if quietly, exploring each other's positions. After a meeting with Hamas and other Palestinian factions in Gaza on 10 June, PA prime minister Qurai' told the media that "there will be continuous talks, if not daily then every two days, between the Palestinians to achieve their national goals."<sup>32</sup>

In the last analysis, Hamas's popularity, not its military activities, is its real strategic and future asset. The unending stream of "martyrs" has kept Hamas's image strong as the hard fighting resistance movement that does not capitulate even in the face of total Israel war against it. It is undoubtedly for this reason that Hamas recruitment rates have reportedly risen, with Hamas leaders claiming that the movement at times is unable to absorb all the volunteers.<sup>33</sup> A remarkable recent demonstration of that popularity was the one-day fundraising drive in the Gaza Strip that Hamas organized on 9 April 2004 to counter the Israeli-U.S.-PA efforts to block its funding. During and after Friday prayers, Hamas representatives deployed in mosques and public squares across the entire territory and for the first time in its history appealed to Gazans for donations, not



to the charities but directly to the movement itself and its Izzeddin al-Qassam military wing. The response was overwhelming. At a time when at least 60 percent of the population is living below the poverty line, people gave money, jewelry, pieces of land, even cattle and horses. According to Hamas sources, \$3 million dollars were raised in that single day.<sup>34</sup> It may soon be possible to measure Hamas's popularity more precisely: on 10 May 2004, the PA announced its intention to hold municipal elections in stages starting in August, with legislative elections to be held later. According to Hamas leader Zahhar, Hamas will participate in both.<sup>35</sup> If elections are allowed to go forward, it would be difficult to imagine how Hamas could be excluded with the United States loudly calling for democratizing the Arab world.

This is a popularity that can be sustained, politically and socially, even if military activities are kept at a low profile. Politically, one need look no further than the essence of the unfulfilled Palestinian rights and the ongoing Israeli occupation, which in itself provides tremendous popular and political legitimacy to whatever party carries the banner of resisting it. Simply stated, as long as the Israeli occupation continues without hope of meaningful withdrawal, the popularity of the "resistance" option will remain undimmed. Destroying Hamas as an organization is not impossible, but destroying Hamas as a manifestation of the Palestinian will to resist is. Hamas rose with the decline of the PLO as it compromised Palestinian rights and lost its will to resist. If Hamas follows the same path, a new "resistance" organization will emerge. In all cases and stages, the "new rising" movement(s) will succeed because they adhere to the logic of resisting the occupation, the same logic that was abandoned by the falling movements.

## NOTES

1. Technically, Rantisi was the head only of Hamas in Gaza, with the leader of the movement being the head of Hamas's political bureau, Khalid Mishal. But in practice, Rantisi had the greatest weight after Yasin and was seen as his successor.

2. "Hamas Is the Most Popular among the Palestinians," *al-Quds al-Arabi*, 22 April 2004, p. 5.

3. International Crisis Group, "Islamic Social Welfare Activism in the Occupied Palestinian Territories: A Legitimate Target?" Middle East Report no. 13, 2 April 2003, online at <http://www.crisisweb.org/home/index.cfm?id=1662&l=1>. *JPS* published long excerpts of the report as a document. See *JPS* 32, no. 4 (Summer 2003), pp. 167-73.

4. In an interview with *Yedi'ot Abaronot*, Yasin replied as follows to the question as to why Hamas had not carried out any attacks during that period: "There

are no operations in Israel today, such as the bus attacks in April 1996, because of Hamas's strategy of not targeting Israeli civilians if Israel is not killing our civilians." The full interview was reproduced in *al-Quds al-Arabi* on 15 October 1999.

5. Shaykh Ahmad Yasin, interview, *Filisteen al-Muslima*, September 2003, pp. 20-23.

6. For various and renewed expressions of this position during the second intifada, see Shaykh Ahmad Yasin, interview cited in note 5; Khalid Mishal, head of Hamas's political bureau, *Filisteen al-Muslima*, October 2002, p. 30; and *al-Khaleej* (UAE), 28 December 2002. See also Musa Abu Marzouq, a member of Hamas's political bureau, interview in *Filisteen al-Muslima*, August 2002, pp. 20-23.

7. There are many statements made by Hamas and its leaders to this effect. See, for

example, Isma'il Haniyya, a Hamas leader in the Gaza Strip, "[The Palestinians] Collectively Embrace the Resistance Option," *Filisteen al-Muslima*, October 2002, p. 48.

8. In addition to strongly condemning all the U.S. plans—Mitchell, Tenet, the road map, etc.—Hamas also denounced the so-called Nusseibeh-Aylon agreement, September 2002, and the "Geneva Initiative" of October 2003, engineered by PA official Yasir 'Abid Rabbuh and former Israeli government minister Yossi Beilin.

9. "Project for National Program," August 2002.

10. According to a study by a Gaza-based research center, Israeli casualties between 28 September 2000 and 28 September 2002 reached 644 dead and 4,137 wounded. Of the attacks, 48 percent were reported to have been carried out by Hamas, 17 percent by Fatah, 7 percent by Islamic Jihad, with smaller Palestinian factions carrying out the rest. Isma'il Abed al-Lattif al-Ashqar and Mu'min Mohammad Gazi Bsaiso, "Military and Martyrdom Operations Carried Out by Palestinian Resistance Movements during Two Years of the al-Aqsa Infada 28/9/2000–28/9/2002" (Gaza: Elnour Center for Research and Studies, 2002), pp. 8–13. Specifically with regard to suicide operations, according to *JPS* calculations, a total of 476 Israelis died in these attacks during the intifada through 15 March 2004; of these, 294 were in operations claimed by Hamas.

11. As of 15 February 2004, the Israeli intifada death toll was 855, including 414 civilians and 441 IDF soldiers and settlers. See Quarterly Update, *JPS* 33, no. 3 (Spring 2004), p. 134.

12. In fact, Hamas not only condemned attacks by al-Qa'ida and its affiliates (for a recent example, see Hamas statement, "Hamas Movement Condemns al-Khobar Attack," 30 May 2004) but has repeatedly emphasized that its battle is against the Israeli occupation only, and that it does not target non-Israeli individuals or interests and never outside Mandatory Palestine.

13. See the text of this paper in *Filisteen al-Muslima*, February 2003, p. 19.

14. 'Abd al-'Aziz Rantisi, "We Need a Palestinian Dialogue, Not Empty Slogans," *al-Quds al-Arabi*, 8 January 2003, p. 19.

15. See text of the declaration in *al-Hayat*, 30 June 2003, p. 5.

16. "Israel Rejects a Palestinian Proposal to Make the *Hudna* Permanent and Constant," *al-Hayat*, 4 August 2003, p. 1.

17. The Abu Shanab assassination followed a renegade Hamas suicide bombing in Jerusalem on 19 August that killed twenty-three Israelis, which in turn followed (and was claimed as retaliation for) Israel's 14 August assassination of a senior Islamic Jihad leader. Rantisi strongly repudiated the attack, though he acknowledged that the bomber was a known Hamas member, and both reiterated Hamas's adherence to the truce and appealed to Israel to consider the attack a one-time act outside the context of the cease-fire.

18. For Hamas deaths by assassination since mid-2001, see <http://www.palestine-info.info/arabic/hamas/shuhda/shuhda.htm>. It should be noted that this list is incomplete as it lacks the "female martyrs."

19. See Abbas's November 2002 speech to heads of Gaza Strip refugee camp popular committees, published as a Special Document in *JPS* 32, no. 2 (Winter 2003), pp. 74–78.

20. *Al-Sabeel* (Jordanian weekly), 29 July–4 August 2003.

21. "Sharon, Mubarak Exchange Notes on Post-Israel Gaza," *Ha'aretz*, online at <http://www.haaretz.com/hasen/pages/ShArt.jhtml?itemNo=432838&contrassID=2&subContrassID=1&sbSubContrassID=0&listSrc=Y>.

22. "Hamas Statement concerning Current Political Developments," 2 June 2004.

23. These include the Islamic Society (nine branches in the Gaza Strip), the El-Salah Society (seven branches), and the largest, Mujamm'a al-Islami, one of Hamas's main organizations in Gaza.

24. Interview, 31 May 2004.

25. International Crisis Group, "Islamic Social Welfare Activism."

26. The names of the West Bank leadership, in any case less important than that in Gaza, have never been made public.

27. Though Rantisi negotiated the *hudna* with the Abbas government under Egyptian auspices in late 2003, he was seen as a hard-liner within the movement. Arafat is said to have disliked like him intensely for his radicalism and strong popular support.

28. "The PA Holds Hamas Responsible for the Failure of Cairo Dialogue," *al-Quds al-Arabi*, 3 February 2003, p. 6. See also Zvi Bar'el, "Who's the Father, Who's the Son?" *Ha'Aretz*, 29 November 2002.

29. Interview with a member of Hamas's political bureau, who asked to remain anonymous, 16 November 2003.

30. Interviews with figures who are close to Hamas, April 2004.

31. Muhammad Nazzal, member of Hamas's political bureau, 27 March 2004, interview online at <http://www.palestine->

[info.info/arabic/hamas/hewar/nazal25.htm](http://www.palestine-info.info/arabic/hamas/hewar/nazal25.htm).

32. Quoted on *al-Jazeera* TV news bulletins, 10 June 2004.

33. Interview with a member of Hamas's political bureau, 16 November 2003.

34. See a long report on this on Islam online, "Gaza Donates Three Million Dollars to Izzeddin al-Qassam," 10 April 2004, online at <http://www.islamonline.net/Arabic/news/2004-04/10/article21.shtml>.

35. *Al-Hayat*, 10 June 2004.