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Hamas's New Statement of Principles: A Political Opportunity for Israel?

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Hamas chose to issue the organization's revamped statement of principles in early May 2017. The timing – just before Israel's Independence Day and the Palestinian Nakba, and a month before the 50th anniversary of the Six Day War – was certainly no accident. Furthermore, the proximity of the publication to Ismail Haniyeh's election to head the organization's political bureau and Palestinian Authority President Mahmoud Abbas's visit to Washington was not circumstantial. Hamas's leadership worked intensively on the document's formulation for many months, and it is evidently designed to present the organization as a responsible national movement or political party that has adapted to the changes of the last several years in the Palestinian camp and Arab sphere.

In a long term view and as a continuation of Hamas's policy of many years, the updated document is meant to challenge Fatah's traditional control of the Palestine Liberation Organization (PLO) in particular and the Palestinian national arena in general, and present a political approach rivaling that of Abbas (who recently had his first and successful meeting with US President Donald Trump). Virtually from its inception, Hamas has objected to the PLO and Fatah's status as exclusive representatives of the Palestinian national idea vis-à-vis the international community. Khaled Mashal, the outgoing head of Hamas's political bureau, in an unprecedented move, called on the new US administration to change the American stance toward Hamas, and stressed that without adopting a new, amended approach to both the Arab/Palestinian conflict with Israel and Hamas it would be impossible to correct the failures of the past.

Several points of the new document are particularly noteworthy:

The document is more political than ideological: It expresses Hamas's updated positions but does not reverse the Hamas charter, whose detailed strategy for struggle is founded on religious ideological principles. In fact, the document is notable for its absence of "charged" concepts used in the charter, including "jihad" and "Palestine as waqf land" (Islamic sacred property). Moreover, the document – meant for the consumption of the West and Arab nations alike – does not refer to the Muslim Brotherhood or mention Hamas's connection to its parent organization. The charter's definition of Hamas as the Palestinian branch of the Muslim Brotherhood is nowhere to be found in the updated statement; Hamas is now defined only as an Islamic national movement.

The Palestinians' demands and means to achieve them: In practice, the document bridges the gaps that have divided the fundamental positions of Hamas since its inception from those of the PLO member organizations. The major gap closed is the willingness to accept a Palestinian state within the 1967 borders, albeit without conceding the spirit of the struggle and resistance and while retaining the military option against Israel (though Khaled Mashal made similar utterances as far back as 2008). Similar to the PLO's stance, the document does not make any concession on the return of the 1948 Palestinian refugees and the 1967 displaced to all Palestinian land, from the Jordan River to the Mediterranean Sea, as a "natural personal and group right." Resistance to the occupation remains legitimate, centering on jihad for the liberation of Palestine, and is considered a valid strategic option for defending and restoring the rights of the Palestinian people.

The attitude to Israel and political negotiations: The document attempts to distance Hamas from the anti-Semitism that saturates the original charter. Thus, the document stresses that Hamas does not struggle with Jews because of their Judaism, but rather because of the Zionist occupation. At the political level, the document demonstrates that Hamas has learned from the Palestinians' mistakes that, in Hamas's view, were evident in the Oslo Accords and their aftermath, first and foremost the recognition of Israel and security coordination with the Palestinian Authority (PA). But rather than absolute rejection of any political negotiations with Israel, a feature of the original Hamas charter, Mashal, speaking publicly about the document, made it clear that negotiations, even if not practical at this point, are possible. Moreover, unlike Hamas's basic stance, which rejects the Arab Peace Initiative (API) because it recognizes Israel and lists the conditions for normalization, Mashal present possible Hamas flexibility on this point (again echoing past statements) "if [the API] helps attain a settlement that includes the milestones on which all Palestinian people agree."

Significance

The Hamas document is meant to portray the organization as pragmatic and non-extremist, in order to improve its image in the world and serve as a foundation for a joint political platform with the PA. Yet it is also rife with internal contradictions: for example, it views a Palestinian state within the 1967 borders as "a consensual formula" for Hamas and the PLO, but remains unwilling to concede any Palestinian land, demanding that refugees be returned to their home, and refuses to recognize Israel, while calling for a continued armed struggle.

The essential difference between the updated statement of principles and the charter is the weight given to the national Palestinian component versus the Islamic aspect. While the charter gives preference to the Islamic component and stresses the superiority of Islam, the new political document flips the positions, giving clear preference to the national Palestinian dimension. Shifting the center of gravity from religion to Palestinian nationalism is evident in the document's definition of Palestine as "the land and birthplace of the Palestinian people," whereas the charter describes Palestine using religious terms of "sacred Islamic soil."

The paragraph that arouses a great deal of interest as ostensible evidence of the development of pragmatism, presents as the movement's stated goal the establishment of an independent Palestinian state within the June 4, 1967 borders with Jerusalem as its capital and the Palestinians' right to return to their homes. The goal is formulated in somewhat vague terms: the

document calls the establishment of an independent Palestinian state “a shared, consensual national formula” with the PLO, but the goal, as the document stresses, is not the final word: “There is no concession of any part of Palestine under any condition or circumstance or pressure as long as the occupation lasts.” Thus, Hamas still rejects any alternative to the liberation of all of Palestine, from the river to the sea. The inescapable conclusion is that one must not recognize Israel or grant it legitimacy, not even in exchange for the establishment of a Palestinian state.

Seeing the 1967 border as a possible stage en route to the final goal is not a new Hamas stance and appeared, among other places, in the reconciliation agreements with Fatah (that were never implemented) and in the notion of a hudna (temporary ceasefire) with Israel, raised several times since the Oslo Accords, especially when Hamas was suffering from intense pressure or and/or isolation. This is likewise true now: Hamas faces a host of complex challenges, including (1) the unrelenting effort to maintain its control of the Gaza Strip in light of the upheavals in the Arab world, the difficulty in providing for the population's needs, and the rift within the Palestinian camp; (2) the defeat of the Muslim Brotherhood in Egypt and the hostility to Hamas by the regime of President el-Sisi; (3) the spillover of Islamic State ideology and capabilities into the Gaza Strip via operatives of the Islamic State's Sinai province, and Egypt's indictment of Hamas over its connection to Salafist jihadi elements; (4) and reduced Arab state support for Hamas in recent years as well as decreased military aid from Iran. All these elements helped motivate Hamas to make changes to the extent possible without damaging its core principles.

Israel can choose to view the new Hamas document in two ways. On the one hand, it seems that this is a case of “more of the same.” Hamas remains a terrorist organization that refuses to recognize Israel and rejects the legitimacy of its existence. It therefore remains an enemy that Israel must try to topple, politically and militarily. On the other hand, it is impossible to ignore the fact that the document demonstrates pragmatism, a consequence of Hamas's tough situation. Israel should attempt to turn this reality into an opportunity.

Such an opportunity can be based on the fact that Hamas has recently tried to improve relations with Egypt and formulate a type of hudna with it to include a response to the Egyptian demand that Hamas sever itself from the Muslim Brotherhood and put an end to the aid to Salafist jihadi factions in Sinai. Israel can try, with Egyptian help, to expand these understandings to enforce a long term hudna with Hamas that would allow both progress in the political process with the PA and the implementation of joint regional and international efforts for the sake of the economic, infrastructural, and civilian reconstruction of the Gaza Strip, while maintaining lasting security stability. If Hamas has indeed adopted a pragmatic approach to the past and is now looking for time to regroup to face the challenges of the future, it is possible to promote the idea of a hudna without responding to its demand that Israel withdraw to the 1967 borders and realize the “right of return” of the Palestinian refugees. These issues will presumably be discussed by Israel and the PA as part their talks over a political settlement.