

A Newer Hamas? The Revised Charter



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On 1 May 2017, Hamas released its “Document of General Principles and Policies” following years of periodic speculation that the movement was working on a new political platform. Heralded by some as a significant milestone in Hamas’s political thought and practice, the document reiterates longstanding positions but also lays out some new ones. Given the timing of its release, as well as its contents and possible implications, the document could be considered Hamas’s new charter: it details the organization’s views on the struggle against “the Zionist project” and Israel and outlines its strategies to counter that project. This essay aims to provide a fine-grained analysis of the substance, context, and ramifications of the recently released document. The discussion starts with an overview highlighting aspects of the document that could be considered departures from Hamas’s original 1988 charter, and pointing to changes in the movement’s discourse, both in form and substance. A contextual analysis then probes the regional, international, and internal impetuses behind the issuance of the document. Finally, the discussion concludes with a look at the possible implications for the movement itself, as well as for the Palestinians and for Israel.

IN TERMS OF GENERAL FORM AND TONE, the document unveiled on 1 May 2017 in Doha by the outgoing head of Hamas’s political bureau, Khalid Mishal, is couched in straightforward and mostly pragmatic political language.¹ Unlike earlier and seminal texts such as the 1988 Hamas Charter,* where vague religious rhetoric and outlandish utopian pronouncements prevailed, the new Hamas document outlines the movement’s positions on the fundamentals of the Arab-Israeli conflict in forty-two carefully worded and numbered paragraphs, including a preamble. While asserting the movement’s adherence to its founding principles, the document also exhibits flexibility by leaving gray areas allowing Hamas political room for maneuver in the future. Such cautious calibration is, however, counterbalanced by the movement’s simultaneous attempt to address what is, in effect, a broad array of often conflicting constituencies. These include the movement’s own core base, its wider circles of support inside and outside Palestine, its Islamist

* See Muhammad Maqdsi, trans., “Charter of the Islamic Resistance Movement (Hamas) of Palestine,” *JPS* 22, no. 4 (1988): pp. 122–34.

allies in the region and beyond (particularly organizations affiliated with the Muslim Brotherhood), Arab and non-Arab governments in the region (notably Iran and Turkey), and, last but not least, Western and Israeli policymakers. Criticism of the new document soon surfaced from quarters as diverse as the audiences it addressed, and they spanned the gamut from disparaging Hamas for offering nothing new to accusations that it was giving away too much and making unwarranted compromises. The official Israeli response was crassly patronizing, with Prime Minister Benjamin Netanyahu gleefully tearing up a copy of the document in front of the camera.² Sister Islamist organizations such as the Islamic Jihad Movement in Palestine (PIJ) criticized the document for undermining fundamental Palestinian principles.³ U.S. and European responses appeared lackadaisical, but close attention seems to have been paid “behind the scenes.”⁴

The Document

In its preamble the document provides a nonreligious definition of Palestine in the following words: “Palestine is the land of the Arab Palestinian people, from it they originate, to it they adhere and belong, and about it they reach out and communicate.” This wording breaks significantly with that of the 1988 charter describing Palestine as an “Islamic endowment” (waqf) that belongs to the Muslim nation at large. Rhetorically speaking, however, the new document reaffirms the Islamic aspect with the following general statement: “Palestine is the spirit of the Ummah and its central cause; it is the soul of humanity and its living conscience.” Still, the thrust of this introductory passage remains focused on Palestine exclusively, unlike the preamble in the original charter that references the universal struggle between “the forces of truthfulness and falsehood” and places the conflict within a perpetual state of war.

More specifically, and under the subheading “The Land of Palestine,” the document enumerates the geographical boundaries of Palestine as extending “from the River Jordan in the east to the Mediterranean in the west, and from Ras al-Naqrarah in the north to Umm al-Rashrash in the south.” This section affirms that Palestine “is an integral territorial unit. It is the land and the home of the Palestinian people.” Following this clear and concise nationalist definition, a general Islamic reference states, “Palestine is an Arab Islamic land. It is a blessed sacred land that has a special place in the heart of every Arab and every Muslim.”

In an eponymously named section, and borrowing from the Palestine Liberation Organization’s (revised) 1968 charter, the document goes on to define who constitutes “the Palestinian people,” asserting that “The Palestinians are the Arabs who lived in Palestine until 1947, irrespective of whether they were expelled from it, or stayed in it; and every person that was born to an Arab Palestinian father after that date, whether inside or outside Palestine, is a Palestinian. . . . The Palestinian identity is authentic and timeless; it is passed from generation to generation.”

In a similar vein, Hamas’s description of itself appears in a section titled “The Movement” that is couched in language quite different from the 1988 charter. Here, Hamas stresses the nationalist and resistance aspects of its purpose far more than the religious and pan-Islamic ones: “The Islamic Resistance Movement ‘Hamas’ is a Palestinian Islamic national liberation and resistance movement. Its goal is to liberate Palestine and confront the Zionist project. Its frame of reference is Islam, which determines its principles, objectives and means.”

Framing the struggle in nationalist terms is not only a novel element of the 2017 document but it is repeatedly emphasized and clearly articulated. Steering away from the tenor of the original charter where the struggle against Israel is depicted as a religious one, here Hamas makes plain that the “conflict is with the Zionist project, not with the Jews because of their religion. Hamas does not wage a struggle against the Jews because they are Jewish but wages a struggle against the Zionists who occupy Palestine. Yet, it is the Zionists who constantly identify Judaism and the Jews with their own colonial project and illegal entity.”

To be fair, Hamas and its leadership have been making this distinction since the 1990s and that position has been reiterated in many statements and pronouncements since. But despite the clear distinction Hamas has made over the years between Zionism and Judaism, its statements have failed to countervail the anti-Semitic overtones of the 1988 charter. The new document offers a definitive framing of the struggle against Zionism and Israel as having nothing to do with religion.

In “The Position toward Occupation and Political Solutions,” the document articulates a stance that reflects the movement’s internal consensus on the two-state solution, that is, the creation of a Palestinian state along the 1967 lines. Although this position is also not unprecedented, the fact that it is now officially included in what is de facto Hamas’s new charter is of major significance—the subtext being that Hamas acquiesces to a political solution that might bring about a viable Palestinian state. Hamas affirm that it accepts this principle in order to solidify “national consensus.” The full text of the relevant paragraph read:

Hamas believes that no part of the land of Palestine shall be compromised or conceded, irrespective of the causes, the circumstances and the pressures and no matter how long the occupation lasts. Hamas rejects any alternative to the full and complete liberation of Palestine, from the river to the sea. However, without compromising its rejection of the Zionist entity and without relinquishing any Palestinian rights, Hamas considers the establishment of a fully sovereign and independent Palestinian state, with Jerusalem as its capital along the lines of the 4th of June 1967, with the return of the refugees and the displaced to their homes from which they were expelled, to be a formula of national consensus.

The document also tackles the Oslo Accords under this subheading. The new and interesting element here is the grounding of Hamas’s position in political argumentation and the principles of international law rather than in religious claims. The 1988 charter and other Hamas documents attacked the accords and other “compromising agreements” on the grounds that these surrendered the land of Islam to its enemies. The justification for rejecting Oslo is now quite different: “Hamas affirms that the Oslo Accords and their addenda contravene the governing rules of international law in that they generate commitments that violate the inalienable rights of the Palestinian people. Therefore, the Movement rejects these agreements and all that flows from them, such as the obligations that are detrimental to the interests of our people, especially security coordination (collaboration).”

The “Resistance and Liberation” portion of the new document is also quite different in its language from the 1988 charter and other past statements. Here, there is a clear assertion of the right to a national liberation struggle on the basis of international law. “Resisting the occupation with all means and methods is a legitimate right guaranteed by divine laws and by international

norms and laws. At the heart of these lies armed resistance, which is regarded as the strategic choice for protecting the principles and the rights of the Palestinian people.” Significantly, however, the very same passage relaxes the definition of resistance to include the notion of “managing resistance” such that escalation and de-escalation tactics are paired with other “diverse means and methods.” Thus, “ Hamas rejects any attempt to undermine the resistance and its arms. It also affirms the right of our people to develop the means and mechanisms of resistance. Managing resistance, in terms of escalation or de-escalation, or in terms of diversifying the means and methods, is an integral part of the process of managing the conflict and should not be at the expense of the principle of resistance.”

In a section titled “The Palestinian Political System,” the document directs its language and views to the Palestinian people and the Palestinian political arena. Here, the discourse is clearly conciliatory, downplaying differences, underlining commonalities, and reaffirming national partnership. Notions of democratic practice and politics are also emphasized. Compared with the old charter, the language is altogether new: “ Hamas believes in, and adheres to, managing its Palestinian relations on the basis of pluralism, democracy, national partnership, acceptance of the other and the adoption of dialogue. The aim is to bolster the unity of ranks and joint action for the purpose of accomplishing national goals and fulfilling the aspirations of the Palestinian people.”

The document then addresses the thorny issue of the PLO and its representativeness. Hamas has always viewed any acknowledgment of the PLO as the sole representative of the Palestinian people as denying the movement the opportunity of casting itself as an alternative. But the movement has also avoided an overt and public rejection of the PLO’s representativeness knowing that this would come at a tremendous cost since the majority of Palestinians still view the PLO as their national political umbrella. By refusing to join other Palestinian political factions under that umbrella, Hamas has tacitly questioned the PLO’s status as the “sole and legitimate representative of the Palestinian people.” In the old charter, Hamas conditioned its adherence to the PLO on the latter’s abandonment of its “secular ideology,” a stance widely seen as a maneuver to avoid acknowledging the PLO’s representative nature.

In the new document, Hamas recognizes that the PLO is a “national framework” for the Palestinians and calls for reform and restructuring that would make the organization truly inclusive and thus pave the way for the movement to join its ranks. In the words of the new document, “The PLO is a national framework for the Palestinian people inside and outside of Palestine. It should therefore be preserved, developed and rebuilt on democratic foundations so as to secure the participation of all the constituents and forces of the Palestinian people, in a manner that safeguards Palestinian rights.” This section of the document also suggests that building democratic institutions should be the basis for a national partnership; it stresses that the role of the Palestinian Authority (PA) “should be to serve the Palestinian people and safeguard their security, their rights and their national project”; and finally, it highlights the role of women in Palestinian society as “fundamental” to the “process of building the present and the future, just as it has always been in the process of making Palestinian history. It is a pivotal role in the project of resistance, liberation and building the political system.” In the 1988 charter, the role of women was viewed exclusively through the prism of religion: Hamas’s “enemies . . . understood that if they could distance them [Muslim women] from Islam then they would win the war.” Thus, it

was Hamas's duty to bring secularized Palestinian Muslim women to Islam and train them to guide and educate the generations.

The final two themes, tackled under the subheadings "The Arab and Islamic Ummah" and "The Humanitarian and International Aspect," both lay out the movement's approach to relationships with states and governments in the region and internationally. Hamas's concerns appear twofold here: first, to reaffirm the movement's policy of noninterference in the affairs of other countries, sending clear messages to Egypt and other governments in the post-Arab Spring era that Hamas will not take sides in domestic and regional conflicts ("Hamas . . . opposes intervention in the internal affairs of any country. It also refuses to be drawn into disputes and conflicts that take place among different countries"); and second, to limit its struggle to the fight against Israel and the "Zionist project." The movement refrains from naming the United States and other Western countries in its references to the support that Israel enjoys. ("It [Hamas] denounces the support granted by any party to the Zionist entity or the attempts to cover up its crimes and aggression against the Palestinians.")

Significance and Background

A hasty reading of the new document may lead to the conclusion that little is new, whether in terms of the individual ideas and positions expressed or of the document as a whole. However, a closer analysis reveals novel approaches, nuanced policy stands, and the willingness to create openings designed to shake off perceptions of Hamas's rigidity and stand as a new official policy document that speaks in the name of the movement as a whole. Looked at individually and separately, some of the positions outlined in the document have been Hamas policy for a number of years, as articulated by the movement's leaders or in official statements. This disparate collection of policy positions is now coherently and formally brought together, alongside a few new ones, with the official imprimatur of the movement. Notwithstanding the fact that they were articulated by official spokespeople, such views and positions were sometimes met with skepticism in the past on the grounds that they were uttered by individuals who did not represent the movement as a whole. Such arguments were made particularly with regard to Hamas's acceptance of the creation of a Palestinian state on the 1967 lines, since one of the movement's originally stipulated goals was the liberation of all of historic Palestine.

Some of the views set forth in the new document and given expression by individuals from the movement at different times in the past have been dismissed as being tactical in nature or delivered circumstantially under pressure. Furthermore, doubts have also hung over specific opinions and positions expressed by certain branches of Hamas (in the Gaza Strip, the West Bank, or outside Palestine) questioning whether they represented the entirety of the movement. This last point is of particular significance and deserves elaboration. A common but misinformed perception of Hamas frequently subdivides the movement into three almost separate entities with distinctive characteristics, depending on whether it is Hamas in the Gaza Strip, Hamas in the West Bank, or Hamas outside Palestine. Typically, Hamas in Gaza is depicted as the most so-called radical wing of the movement, Hamas in the West Bank as the most "moderate," and that based outside the

Palestinian territories as somewhere in between, or “centrist.” The reality, however, has always been more complex. Radical, moderate, and centrist views and leaders certainly exist across the movement, but without a clear-cut connection to one or the other geographical location. However, based on this assumed triad, a pronouncement made by a Hamas leader in the West Bank, for instance, might be dismissed and described as unrepresentative of the movement as a whole. The new document issued in May clears up any remaining doubts about the positions espoused by Hamas’s various leaders and groups. It also unifies the discourse of the three branches about the most pressing issues that are most often debated. In conclusion, the new document not only develops and confirms the movement’s various stances but it also streamlines perceptions, discourse, and political language both formally and institutionally.

Why Now?

So what prompted Hamas to unveil its revised platform at this time? Were there any pressing elements involved, whether in terms of timing, context, and/or immediate audiences to target? While concrete answers may be difficult to provide, it is possible to extrapolate answers to these questions by contextualizing the publication of the document within a broader setting.

To understand the context behind the release of the new document, it is useful to examine the increasing pressures on Hamas since it seized power in the Gaza Strip in 2007, and particularly since the eruption of the so-called Arab Spring in 2011. The current document comes on the heels of Hamas’s ten-year anniversary as the governing entity in the Gaza Strip during which the movement’s political choices have grown more constrained both at the Palestinian and regional levels. Hamas’s current challenges started soon after it assumed power, as an immediate blockade was imposed on the Gaza Strip in general, and on Hamas in particular, by Israel and Egypt, with the approval of the United States and the European Union. Ever since, Hamas’s predicament has revolved around four major tracks of action, each with its own address, so to speak.

The first track was working on ending the blockade and the main address was Cairo, with Hamas offering concessions over the control of the Rafah crossing between the Gaza Strip and Egypt. The second was opting for internal Palestinian reconciliation. The main address here being Fatah and the PA, with Hamas offering concessions to the Palestinian president that could amount to abandoning their full control over Gaza. The third track was agreeing to a long-term truce with Israel in return for an easing of the blockade (despite Egypt’s reluctance). The address here was Tel Aviv, with Hamas risking damage to its image and support as a resistance movement. And fourth was remaining passive and opting for a wait-and-see approach in anticipation of regional developments that might bring about favorable changes. Over the period of 2007–10, Hamas tested the waters on the first three options intermittently, realizing that the cost was unbearably high for each of them, and thus resorted to the safer wait-and-see default option.⁵ It should be noted that the latter option has come at tremendous cost in terms of the Gaza Strip’s economy and the extreme hardship experienced by the population due to the relentless blockade and successive Israeli attacks (2008–9, 2012, and 2014), which according to the United Nations will

render the entire territory uninhabitable by 2020.⁶ Hamas has of course been paying the resulting cost in terms of its popularity and support.

Regional and International Context

Hamas's fourth default option, the wait-and-see approach, appeared viable in the wake of the Arab uprisings of 2010–11 that led to the dramatic fall of Hosni Mubarak's regime in Egypt and the consequent rise of the Muslim Brotherhood (MB) there. For a short period of time, things seemed to change extraordinarily for Hamas, with Egypt's blockade of Gaza all but lifted. In 2011–12, Hamas enjoyed a seemingly heaven-sent ally in Cairo and the election of MB head Mohamed Morsi as Egypt's president strengthened the movement's standing almost overnight. The rising tide of Islamist parties elsewhere in those two years came as a lifeline for Hamas, but it led to overconfidence on the movement's part. Winning Egypt's support encouraged Hamas to risk losing that of Syria and Iran in 2012 after the movement's public endorsement of the Syrian uprising. Having Cairo, Ankara, and Doha on its side counterbalanced losing Damascus and Tehran in Hamas's calculus, as the movement expected the regime in Syria would eventually be replaced by an Islamist-leaning and friendly one.

Hamas's Arab Spring gamble failed, however, as Egypt not only returned to pre-uprising politics but in July 2013 was taken over by military strongman Abdel Fattah al-Sisi, whose sworn enemies are the MB and its allies, including Hamas. Thus, in addition to renewing the Egyptian side of the blockade of Gaza, Cairo moved once again to the anti-Hamas camp, and the wait-and-see option ultimately yielded little that was favorable to Hamas, a situation further exacerbated by the election to the U.S. presidency of Donald Trump, a vocal anti-Islamist with an unflinchingly pro-Israel agenda.

From the vantage point of this wider regional perspective, some general considerations can be enumerated that informed the publication of Hamas's new document. In the first place, Hamas wanted to create a more flexible and moderate political and diplomatic framework that might encourage the various players to consider easing the blockade on the Gaza Strip and its two million Palestinians. The overall reasoning behind the blockade was anchored in Hamas's political control of the territory and its proscription as a "terrorist organization" by Israel and its Western allies. This reasoning was translated into political language in the form of three conditions that were imposed by the Middle East Quartet (comprised of the UN, the EU, the United States, and Russia). These conditions, which were made public immediately after the movement's victory in the 2006 Palestinian general elections, were: renouncing "terrorism"; recognizing Israel's right to exist; and pledging to adhere to all agreements reached by the PLO and Israel (mainly Oslo). Hamas was made to understand that if it wanted to be treated as an acceptable political interlocutor, it would have to accept these conditions. In an attempt to both defy these dictates and distance itself from the "terrorist organization" label, Hamas has endeavored to project a different image of itself—as a responsible political partner, whose leadership won free and fair elections, which is capable of speaking the language of both politics and resistance in its own way and without succumbing to external pressure. The new document published in May 2017 falls in line with that effort.

The document could also be read as an attempt to repackage Hamas's long-standing positions, a measure that might improve its ability to exercise one of the first three options discussed above. On the Egypt-blockade track, Hamas projects itself as a capable political party that has nothing in common with terrorist groups such as al-Qa'ida and the Sinai Province of the Islamic State (SPIS) and as being independent of the MB. That message is meant to facilitate the opening of channels to dialogue with Cairo without the specter of the Brotherhood in the backdrop. The same message is also directed at other Arab countries, in particular Jordan and the Gulf states. A number of these, spearheaded by Egypt and the United Arab Emirates, and to a lesser degree Saudi Arabia, Jordan, and Bahrain, are engaged in what could be considered a region-wide war against the MB. Over the past several years, Hamas has felt the heavy burden and cost of its affiliation to the MB and while that association is a historical fact that is referenced in the 1988 charter, Hamas has realized that its historical antecedents with the MB are damaging rather than benefiting the movement's standing. In the current atmosphere, abandoning its association with the MB and demonstrating complete independence from other transnational organizations allow Hamas to reassure MB-nervous countries.

Linked to such regional concerns is also Hamas's desperate attempt to broaden its relations across the region and break out of its current isolation. Hamas has ended up cornered in the Gaza Strip not only because of the blockade and Egypt's hostility or the brutal crackdown on the organization in the West Bank by the PA (and Israel) but also because the movement's support base has been reduced to Qatar and Turkey, the only two countries where the externally based leadership has been able to live and travel.

Another possible regional consideration behind the timing of the new document is the increasingly heated international atmosphere of Islamophobia—now actively driven by the Trump administration—and its ramifications for the region. At the top of the Trump agenda is the fight against ISIS (*al-dawla al-islamiyya fi al-Iraq wa al-Sham*) and what is called “Islamic terror,” which includes browbeating regional powers into adopting policies that undermine Hamas's principal allies, Qatar and Turkey. Hamas has been particularly concerned to distinguish itself from those organizations that could be targeted in what appears to be a looming and collective conflict in the region. From this perspective, the issuance of the document could therefore be seen as a preemptive measure to abort or mitigate the adverse impact of anticipated U.S. and regional policies.⁷

Internal Context

As hinted above, producing a fresh Hamas document that leaves behind the 1988 charter and other outdated pronouncements has been the subject of debate inside the movement for years. Thus, one might surmise that these internal discussions had simply reached maturation at this point in time. However, one should not rule out other internal drivers and developments as possible explanations for the publication of the new document.

One of the most striking developments around the issuance of the document was the simultaneous departure of Hamas leader Mishal, who had been at the helm for almost twenty years. As head of the political bureau, Mishal was the architect of the document, which he

fashioned as his tangible legacy to the movement.⁸ Another significant development has been the recent rise of military leaders to the top echelons of the organization during the movement's most recent internal elections.⁹ The outgoing leadership, represented by Mishal, seemed to have wanted a solid consensus on all declared Hamas positions, committing the new leadership to those positions regardless of any hard-line tendency that some of its members may have. Maintaining and asserting a unified line of politics and practice has always been a top priority for the movement. It is worth noting here that over the decades of struggle with Israel, Hamas has been the only Palestinian organization that has never succumbed to splits and that has managed to sustain a great deal of internal unity. Thus, consolidating and harmonizing perceptions and positions within the movement in spite of changes in leadership, and despite the multiplicity of pressures facing Hamas, appears to be one of the document's objectives, as reflected in the following passage:

This document is the product of deep deliberations that led us to a strong consensus. As a movement, we agree about both the theory and the practice of the vision that is outlined in the pages that follow. It is a vision that stands on solid grounds and on well-established principles. This document unveils the goals, the milestones and the way in which national unity can be enforced. It also establishes our common understanding of the Palestinian cause, the working principles which we use to further it, and the limits of flexibility used to interpret it.

Palestinian over Pan-Islamist Context

There is no claim in the document that Hamas is abandoning its religious and Islamic pedigree despite the drastic downplay of such references when compared with the 1988 charter and other pronouncements. However, the emphasis on the "Palestinian-ness" of Palestine, and on the Palestinian nationalism articulated in the new document, has never been as clear or obvious in previous movement literature.

Severing links with the MB was not only directed to regional and international audiences as discussed above, but was aimed equally at engaging with internal Palestinian politics. Toning down religious language and privileging political and nationalist discourse open further space for Palestinian-on-Palestinian dialogue. Hamas's "Palestinianism" takes precedence here over its "Islamicism," as the document repeatedly refers to the land of Palestine rather than to the Muslim *ummah*, defines the Palestinians as the Arab Palestinian residents of Palestine before 1947 descended from Palestinian fathers, and gives precedence to the Palestinian character of the people over their Muslim identity or belonging.

The new Hamas document is concerned with the contemporary boundaries of Palestine (in fact, the very boundaries created by the British Mandate), declaring them to be immutable. Against the concreteness of geography, history is invoked only rhetorically. That the Palestinian people are part of the Arab and Muslim *ummah* is mentioned several times, but again only in passing fashion. Another related indication of this shift in discourse is Hamas's prioritizing of national unity over ideological differences among Palestinians. Nor does the document mention the secular

ideology of the PLO and that of many Palestinian political factions, something that was invoked in the 1988 charter as an obstacle to joining PLO ranks.

Asserting nationalist connections in new language while abandoning links with Islamist transnationalism, Hamas attempts to counter an oft-repeated accusation in the Palestinian arena that the movement is more loyal to pan-Islamist causes than to national Palestinian aspirations. Such accusations were prompted by the short-lived honeymoon with the Arab Spring and the rise of the MB in Egypt in 2011–12, when Hamas's media and rhetoric were driven by regional developments, including the successive victories of Islamist parties in Tunisia and Egypt. The precipitous fall of the Brotherhood in Egypt and other regional changes compelled Hamas to adopt a more nuanced tone that privileged realistic and nationalist politics. Building on these experiences, the new language of Hamas's document calls for national unity and, alluding to the groundwork laid by various agreements with rival Palestinian forces in pursuit of such unity, asserts that the goal is within reach. In a direct message to Fatah, in particular, and the PA in general, Hamas argues that both references to and inferences of such nationalist discourse in the document, along with the acceptance of a Palestinian state on the 1967 lines, would make national consensus achievable.

Internal Contradictions or “Openings”?

As mentioned earlier in this essay, the new document is carefully worded, with many gray areas concerning some of the movement's specific positions, allowing both for external interpretations and expectations, as well as internal justifications. It is clear that many of the opacities in the document have been deliberately included. This approach will not satisfy a number of actors, including those that wanted Hamas to go all the way and recognize Israel along similar lines to the PLO, and those that wanted it to stay faithful to its original positions and reject a two-state solution. The challenge of this partial change in positions, that is, Hamas's attempt to protect itself with a buffer zone of ambiguity while trying to satisfy many constituencies, has created points of tension and ambivalence in the document.

Three main areas of ambivalence can be summarized as follows: Hamas's acceptance of a Palestinian state along the 1967 lines without outright recognition of Israel; its rejection of the Oslo Accords while accepting the PA; and its emphasis on diversifying the means and methods of resistance as well as “managing resistance” through escalation and de-escalation according to circumstance. These three areas of incongruity, which correspond to the three Quartet conditions discussed above, could be seen either as contradictions or as facilitating “openings,” depending on one's point of view.

Were there to be serious efforts exerted to reach a true political settlement with Israel, the new document leaves the door ajar for Hamas to be part of such a development. Nevertheless, those that have no serious interest in pursuing political solutions could also regard this “opening” as unfinished business or an obstacle. Over the long and consuming years of the so-called peace process since 1993, countless Israeli and U.S. conditions were placed before the Palestinians, virtually killing the peace and feeding the process. The PLO, all factions included, and the PA have collectively met every condition imposed: recognition of Israel; adhering to agreements, in

particular security arrangements; and renouncing all forms of armed struggle. The acceptance of those conditions by an additional Palestinian actor, in this case Hamas, would not make any real difference. The peace process has been held in cold storage over the past twenty years not because Hamas would not accept Quartet conditions. Rather, the concrete reason for the failure of the process has been Israel's belligerent policies. Israel has sabotaged substantive discussion at every stage of the negotiations while continuing to build settlements in the West Bank and East Jerusalem; it has refused to accept East Jerusalem as the capital of a future Palestinian state; it has rejected the right of return of Palestinian refugees; and it has demanded (if not implemented it de facto) the inclusion of huge parts of the remaining Palestinian territories into Israel.

Within the concrete reality of this picture, pressing Hamas to fulfill the Quartet's three conditions is merely a pretext for Israel to carry on with business as usual, that is, military occupation, while tactically hiding behind Hamas's purportedly hard-line positions. Briefly, even were Hamas to recreate itself in the image of Fatah, such a change would make no difference within the current context of aggressive Israeli policies and similarly aggressive U.S. support for Israel.

Hamas's stated position on resistance and armed struggle as outlined in the document could also be viewed as either a contradiction or an opening. For Hamas to declare its abandonment of armed resistance at the present time is inconceivable. The utmost that it could offer is what the document states in carefully chosen words: to deploy diverse "means and mechanisms of resistance," including a willingness to consider the pursuit of peaceful and unarmed resistance; and to intensify or downgrade certain forms of resistance at any given time in a continually reassessed strategy based on context. In setting out these positions, Hamas addresses a number of actors, and indirectly acknowledges that armed struggle is not an end in itself but merely a means. By doing so, the movement offers more substantial common ground on the national Palestinian level, and allows itself the flexibility to choose the "de-escalation" of the armed struggle implicitly allowing for other forms of resistance. Such a discourse is directed at regional and international actors, mostly the Quartet, stressing that the movement also speaks the language of politics and diplomacy.

The third possible contradiction/opening is Hamas's position on the Oslo Accords. Again, the document's pronouncements on the accords and what resulted from them (the creation of the PA) could be read in two different ways: either as total and direct rejection or as partial and indirect acceptance. Creating this type of positive ambiguity, so to speak, and expanding areas of future political choice seem to have been the intention. While the movement reiterates the principled reasons for its rejection of the agreements, it provides two new and mitigating elements: first, it grounds its rejection in the language of pragmatism and international law (not religion); and second, it softens its language about the PA and the latter's duty to protect the Palestinians.

To conclude, Hamas's new document has shifted the movement's positions and policies further toward the spheres of pragmatism and nationalism as opposed to dogma and Islamism. With this shift, Hamas creates areas of positive ambiguity that can be considered as openings to facilitate the emergence of new creative and inclusive approaches for other actors to deal with the movement, whether to end the blockade on Gaza or to resolve the conflict as a whole. Yet, the very same areas of intended incongruity could also be seen as impediments or obstacles that confirm Hamas's unchanging nature. It all depends on who wants to see what in the new document, how they use it or misuse it, and which agenda they are pursuing.

About the Author

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ENDNOTES

- 1 For the entire text of the document, see the official English translation on Hamas's website: "A Document of General Principles and Policies," Islamic Resistance Movement: Hamas, 1 May 2017, <http://hamas.ps/en/post/678>. The document was unveiled at a press conference in Doha by the outgoing head of the political bureau, Khalid Mishal, after years-long and heated internal debates on replacing the 1988 charter with a platform reflecting the present realities of the movement and the evolution of its political thought and practice. For background, see Khaled Hroub, "Hamas's Ideology, Strategy and Objectives" in *Hamas: A Beginner's Guide* (London: Pluto Press, 2006), pp. 17–30; and Azzam Tamimi, *Hamas: A History from Within* (Northampton, MA: Olive Branch Press, 2007), pp. 147–56. Translations, unless otherwise noted, are the author's own.
- 2 Reuters, "Watch: Netanyahu Tosses Hamas Policy Paper on Israel into Waste Bin," *Jerusalem Post*, 8 May 2017, <http://www.jpost.com/Israel-News/Netanyahu-tosses-Hamas-policy-paper-on-Israel-into-waste-bin-490098>.
- 3 Statements by Ziyad Nakhalah, the deputy leader of PIJ, to Al Jazeera. See "Harakat al-jihad tatahafez 'ala wathiqat Hamas al-jadida," Al Jazeera, 6 May 2017, <http://bit.ly/2uocQMd>.
- 4 Personal interview with a Hamas official who spoke on condition of anonymity, Ramallah, 12 May 2017.
- 5 Elsewhere, I have discussed Hamas's positions at length. See Khaled Hroub, "Can Hamas Afford the Cost of Ending Gaza's Isolation?," *World Politics Review*, 3 May 2016, <http://www.worldpoliticsreview.com/articles/18667/can-hamas-afford-the-cost-of-ending-gaza-s-isolation>.
- 6 See the United Nations Conference on Trade and Development (UNCTAD) warning: "Gaza Could Become Uninhabitable in Less Than Five Years Due to Ongoing 'De-development': UN Report," UN News Centre, 1 September 2015, <http://www.un.org/apps/news/story.asp?NewsID=51770#.WSqM5cYIG71>.
- 7 Hamas's concerns were proven legitimate when President Trump conflated the movement with ISIS, al-Qa'ida, Hezbollah, and other so-called terror organizations in his speech in Riyadh during his visit to Saudi Arabia on 21 May 2017. The new Hamas document clearly failed to impress the U.S. president or have any impact on his preconceived notions.
- 8 Personal interview with a Hamas official who spoke on condition of anonymity, Ramallah, 12 May 2017.
- 9 During local internal elections held in the Gaza Strip in February 2017, Yahya Sinwar, the military leader considered a hard-liner, was elected head of the local political bureau. In the movement-wide election of a new political bureau (inside and outside Palestine), Sinwar became the deputy of newly elected leader Ismail Haniyeh.