

Hamas as a Political Party: Democratization in the Palestinian Territories

Abstract

Why do violent movements participate in elections? To answer this question, we examine Hamas's formation of the Reform and Change Party and its iconic victory in the 2006 elections to the Palestinian Legislative Council. We argue that Hamas's formation of this party was a logical step, following nearly two decades of participation in local and municipal elections. Hamas's need to attract resources from external donors, who make funding decisions based on civilian support for the movement, best explains *why* Hamas decided to participate in local elections in the early 1990s, taking Hamas on a path that eventually led to its 2006 legislative victory. Hamas's foray into elections was consistent with its dual strategy of directing violence against Israel and building Palestinian support through welfare services. We demonstrate that changes in political opportunities (Fatah's decline and increase in Hamas's popularity), institutional incentives (lax electoral laws and the holding of municipal elections) and the rise of moderate voices within Hamas explain the *timing* of its entry into legislative elections. Finally, we discuss Hamas's electoral victory, the need for cooperation between Fatah and Hamas and the role played by international actors as significant factors influencing prospects for peace and democratization in the region.

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Introduction

In December 1987, at the beginning of the first Palestinian uprising (*intifada*), Hamas emerged as an independent offshoot of the Muslim Brotherhood, a religious political movement founded in Egypt in 1928 that seeks for society to live out Islam in all aspects of life. Although a relative latecomer to Palestinian politics, Hamas quickly became a key player, even as it operated outside of the PLO framework. It was best recognized outside the region for the anti-Israel activities of its military wing. Hence, the 2006 Palestinian Legislative Council election results that brought the political front of Hamas (*Harakat al Mukawama Al Islamiya*, or the Islamic Resistance Movement) to power surprised many observers.¹

Scholarly work on the 2006 legislative elections delineates the sequence of events, explains Hamas's legislative majority and discusses the consequences of this election on prospects for peace in the Middle East. Prognoses for the region include discussions of recent events such as the U.S. boycott of the Hamas government and the lack of cooperation from the losing party, Fatah.² Broader comparative studies have placed the election in the context of Islamic parties³ and highlighted the close ties between some political parties and terrorist groups.⁴ While several studies focus on explaining the 2006 election results and the election's consequences for peace, none provides a compelling explanation for Hamas's decision to participate in elections. Its participation and victory in the 2006 legislative elections are even more intriguing given Hamas's boycott of the 1996 presidential and legislative elections and the 2005 presidential elections. This is a significant gap in the literature, leaving us with no answer as to why Hamas decided to pursue the strategy of electoral participation. However, Hamas's decision to participate in elections has important consequences for democratization in Palestine. In addition, what we learn from this case could help us understand other violent movements, the conditions under which they choose to participate in

elections and the consequences of this strategy for democratization and the welfare of their civilian constituents.

We address the above gap in the literature by explaining Hamas's decision to participate in the 2006 legislative elections as a logical step following victories in local and municipal elections since the early 1990s. We provide evidence as to *why* Hamas chose the initial strategy of electoral participation in the early 1990s which it continued to pursue through the 2000s. We evaluate leading theoretical contributions focusing on political opportunity structures,⁵ institutional incentives,⁶ strategies of dissent and resource-based arguments regarding the emergence of political parties from rebel groups.⁷ We argue that while the electoral victory of the Hamas-supported party, Reform and Change, in the 2006 legislative elections was surprising, the decision to form the party in that election was consistent with the movement's existing dual strategy. This long-existing strategy has consisted of violent dissent against the Israeli state and simultaneous provision of governance and welfare services to acquire and maintain the support of Palestinian civilians.⁸

Second, we demonstrate that the most compelling explanation of the slow transition of Hamas into a political force participating in electoral institutions is provided by a resource based theory⁹ - the above-mentioned dual strategy is inspired by the need for continued funding from external donors most likely to support the immediate needs of impoverished Palestinians. Third, we argue that three factors external to the organization and one internal factor best explain the *timing* of Hamas's entry into the legislative elections in 2006. External factors include political opportunity structures, in the form of a declining hegemonic party (Fatah), lax electoral rules and Hamas's own rise in popularity among Palestinian civilians. The internal factor is the rise of moderate voices within Hamas's leadership in support of electoral participation at the national level.

Finally, we discuss the prospects for further democratization of the region, highlighting the significance of Hamas's victory, the continuing impasse between Fatah and Hamas in spite of the

recent secret deal in Cairo and the important role played by international actors, an explanation that is often overlooked within comparative politics.

A Review of the Literature

The extant literature on social movements includes several studies on the links between social movements and political parties¹⁰ and the transformation of social movements into political parties,¹¹ particularly green movements¹² and ethnic movements.¹³ One strain of this literature emphasizes political opportunity structures, resources exogenous to the group that lower costs of collective action.¹⁴ Political opportunity structures are strongly influenced by political institutions, such as electoral systems, that encourage or discourage participation through the formation of parties.¹⁵ Permissive electoral rules such as arrangements based on proportional representation with higher district magnitudes are significantly associated with a larger number of parties in parliament. These permissive institutions encourage new parties to form and participate in parliament. On the other hand, majoritarian institutions or less permissive proportional institutions (i.e. those with lower district magnitudes and higher electoral thresholds) offer few potential benefits for choosing this strategy, discouraging the formation of new parties.¹⁶

Political opportunity structures are also influenced by changes in other institutions such as the country's party system. The decline of existing dominant parties may create an opening for new parties to form and achieve access to power.¹⁷ Van Cott's¹⁸ work on ethnic parties in Latin America points to the decline of existing parties in the 1990s and the disintegration of the party system, which prevented the "freezing" of cleavages and encouraged a shift in loyalties to new parties.¹⁹ A reduction in state repression may also provide an opportunity for rebel groups to reduce their use of violence and consider electoral politics as a viable alternative.²⁰ Likewise, offers of assistance from

political elites to social movements²¹ or opportunities for rebel movements to engage in electoral politics in exchange for eschewing violent means may lead them to alter their behavior.²²

Another strain of the literature explains that some groups view the choice of party formation as compatible with the use of violence, with the pragmatic goal of winning civilian support. Many violent movements rely on citizen support for resources including funding, protection and recruitment.²³ A conscious dual strategy exists where both party formation and violent dissent may be seen as efficient routes for achieving different ends as part of a larger goal.²⁴ Violence is used to extract concessions from the state whereas elections are used to win the support of citizens and signal broader support for the cause. Weinberg and Pedahzur,²⁵ for instance, highlight the example of the violent Red Brigades in Italy, who were cut off from the broad citizenry they sought to represent due to the presence of larger, more encompassing movements competing for citizen attention and support. They argue that this disconnect between the Red Brigades and the public led to a loss of support. Later rebel groups were able to avoid this problem by creating political parties that concentrated on propaganda and maintaining public support. Burma (Myanmar) provides another example of a two-pronged strategy which included the nonviolent political dissent of Aung San Suu Kyi's National League for Democracy and the violent ethnic guerilla factions on the country's borders in the 1990s. While the National League for Democracy petitioned for international support, the ethnic guerillas associated with groups such as the National Democratic Front (NDF) organized in the border areas to provide protection and assistance to the nonviolent activists, both working simultaneously against the military *junta*.²⁶

By contrast, Jeremy Weinstein's resource based mobilization argument maintains that violent groups do not necessarily rely on civilian support for their resources. Weinstein divides groups into those with two types of initial endowments: economic endowments and social endowments. He argues that groups with access to economic endowments, through natural resources or guaranteed

supplies of external funding, are not reliant on the civilian population and will wreak havoc through violence directed at civilians. On the other hand, groups established without such a secure domestic or external source of funding but organized on social endowments, such as ethnicity in the case of the National Resistance Army (NRA) in Uganda or the Shining Path in Peru, will have greater incentives to cooperate with domestic civilians, targeting them selectively when necessary. The National Resistance Army, for instance, provided public goods such as healthcare to civilians, provided governance in areas of need and held elections to local councils in exchange for civilian support.

Finally, another strain of the literature focuses on the role of well-intentioned international interventions. In Elisabeth Jean Wood's²⁷ work on democratization in El Salvador and South Africa, she highlights the role played by international actors who intervened with force or economic actions to pressure political elites towards further democratization, in turn influencing the transformation of social movements into political parties. In a related perspective, Weinberg and Pedahzur²⁸ talk about international interventions that may aid a hurting stalemate by bringing rebel groups and elites to the negotiating table, changing the political opportunities for the rebel groups, and offering incentives for their transformation into political parties.

Using the case of Hamas, we investigate the above explanations for the formation of political parties in two sections. In the first section we examine the broader political context or “external” explanations including changes in political opportunity structures such as the leadership gap left by the decline of Fatah and Hamas’s rise in popularity among Palestinians, as well as institutional incentives such as the lax electoral laws. In the second section we look at explanations “internal” to the movement including the influence of Islamic theology on Hamas,²⁹ the need to attract resources from external sources³⁰ and the rise in power of moderates within the movement.³¹

Below, we briefly describe the political environment in the West Bank and Gaza Strip in which Hamas first made the decision to form a political party and then competed in local and national elections.

External Explanations: Institutional Incentives, Fatah's Decline, and Lax Rules

An unavoidable factor influencing the strategic calculus of political movements in the West Bank and Gaza Strip in their decisions to form political parties is that no Palestinian state exists. This means that there is a very limited tradition of Palestinian self-rule in a formal sense. The Palestinian Liberation Organization (PLO), founded in 1964, is an umbrella organization that acts as a forum for communication and decision-making among various Palestinian factions, the strongest of which, historically, was the secular nationalist Fatah movement led by Yasser Arafat until his death in 2004. Lacking a state, and having few institutional means of asserting control or challenging Fatah dominance and political positions, factions within the PLO have at times used militant rhetoric or activity as a way of exerting pressure for 'domestic' change; due to the Israeli occupation and the PLO's status as a body representing all Palestinians. PLO factions have had branches both within and outside of the West Bank and Gaza Strip.³²

The signing of the Oslo Accords between Israel and the PLO in 1993 was in part an effort by both Israel and the Fatah leadership to sideline Hamas. Fatah viewed Hamas as a threat to its political dominance and Israeli leaders viewed the group as an existential threat to Israel, given the movement's rejection of the "Zionist entity" and its commitment to armed resistance. The Oslo accords created the Palestinian National Authority (PA), a quasi-governmental institution with limited authority within urban centers, an area that comprised less than half of the territory of the West Bank and Gaza Strip. The PA was dominated by Fatah party members returning from exile; although, they had been distanced from the local leadership that led the largely nonviolent struggle

against Israeli occupation.³³ One of the major duties of the PA was to aid Israeli security by dismantling the “terrorist infrastructure” of Hamas and Islamic Jihad, also encouraging progress towards some of PLO Chairman and PA President Yasser Arafat’s own political goals.

In 1996, the Palestinian Authority held elections for the presidency and for the 88-seat Palestinian Legislative Council (PLC). The parliamentary elections were conducted through a majoritarian system that divided the West Bank and Gaza into 16 districts.³⁴ The electoral rules, written by Arafat-appointed officials, led to Fatah winning 55 of 88 seats, with independent Fatah candidates winning another seven seats.³⁵ Notably, Hamas and the leftist Democratic Front for the Liberation of Palestine (DFLP) boycotted the elections.³⁶ Due in part to this majoritarian nature of the electoral system, Fatah received almost twice as many seats (58%) as its share of votes (approximately 30%). In contrast, independent candidates won 60% of the vote but gained only 40% of the seats.³⁷ Although the Oslo accords called for presidential and parliamentary elections and outlined their allocated powers, no framework was established for follow-up elections *after* the five-year “interim” period outlined in the Oslo accords. Additionally, local elections were not covered by the Oslo accords. Hamas, which was popular at the local level due to its provision of welfare services, regularly called for Arafat to hold municipal elections to no avail.

The above highlighted lack of political opportunities, including no regular schedule for elections, the absence of local elections, and continued Israeli occupation, provided little incentive for Palestinian national movements, outside of Fatah, to organize within a political party framework as the cronyism of Arafat’s bureaucracy left little space for political opposition.³⁸ Nevertheless, Hamas conducted a poll of its members to gauge support for electoral participation, backed the formation of a party list under the National Islamic Salvation Party in 1995 (even though the party list created was not used for participation in the elections due to the decision to boycott) and

endorsed the successful Reform and Change Party in 2006. The nature of Palestinian institutions and Israeli occupation, while profound in their influence on Palestinian politics, did not prevent Hamas from eventually winning the majority of seats in the 2006 legislative elections.

Changes in the Palestinian political context between 1996 and 2004 accompanied the emergence of candidates who were supported by Hamas in local and legislative elections. Although negotiations occurred at Taba in January 2001, by then the al-Aqsa intifada had begun. By the time that hard-liner Ariel Sharon was elected as Israeli Prime Minister in February, the Oslo process was considered dead. Despite initial reliance on nonviolent protest, Palestinians were targeted with incredibly harsh measures by the Israeli forces.³⁹ The frustration that led to the second intifada was directed not only at the continued Israeli occupation but also the ineffectiveness of the Palestinian Authority, particularly Fatah. Calls for government reform came from both internal sources, including Palestinians frustrated with government corruption, and external ones such as Israel and the United States, who blamed Arafat for the failures at Camp David and pressured the PA to carry out democratic reforms, including holding elections.⁴⁰ Concomitantly, support for Hamas in the West Bank and Gaza Strip, doubled between 2000 and 2005 due to “the second *intifada* and Fatah’s failures at peace making and state building” as well as Hamas’s ongoing provision of welfare services.⁴¹

A new political opportunity appeared after President Arafat scheduled a series of staggered municipal elections (the first ever to be held under the PA) to begin at the end of 2004. His death in November 2004 triggered presidential elections in January 2005, as well as a division of three leadership roles long held by Arafat—Chairman of the PLO, President of the Palestinian Authority, and head of the Fatah party—among three different people. While Hamas eagerly participated in the long-sought after municipal elections, they boycotted the 2005 presidential elections. By 2006,

however, after much internal discussion, Hamas decided to participate in the first parliamentary elections in ten years.

Hamas's decision to participate in the 2006 elections was also influenced by the Israeli withdrawal from the Gaza Strip, an event viewed by many as a Hamas victory and one which left a power vacuum Hamas was anxious to fill.⁴² At the same time, Hamas was aware of popular sentiment towards the elections and rising levels of support for the movement itself, from 20% at the beginning of 2005 to 30% by midyear and 40% by December.⁴³ Also, importantly, there were few legal hurdles for Hamas's transformation. According to the law, the Palestinian president had broad powers related to the conduct of elections, and Arafat had declared all PLO factions as parties even in the absence of registration files, a fact which gave the Central Election Commission substantial leeway in registering "partisan entities."⁴⁴ Thus, Hamas did not have to submit to any substantive oversight process in declaring its intent to run.

Each of these developments changed the structure of political opportunities following the signing of the Oslo accords. The decline of Fatah as a result of weak governance and corruption, increasing frustrations on the part of the Palestinian civilians, Arafat's death and the withdrawal of Israeli forces from the Gaza Strip, and the holding of municipal elections (which Hamas had called for from the beginning of the Oslo process due to their local roots), all provided strong incentives for Hamas's entry into electoral politics. These opportunity-based explanations are helpful in understanding the timing of Hamas's entry into legislative politics but they still do not fully explain *why* Hamas decided to form a political party in the first place. These causes, in the form of political opportunities, appeared after Hamas's initial decision to support a party list in 1995. For example, members of the movement had been polled for their support of electoral participation over a decade before its participation in the legislative elections held in 2006. Thus although these factors, which

are external to the movement, can account for the *timing* of Hamas's decision to contest the 2006 legislative elections and its subsequent electoral success, they cannot explain *why* Hamas initially decided to pursue electoral politics several years prior. In the following section, we discuss explanations internal to the movement that resulted in Hamas's decision to form and support a political party.

Internal Explanations: From Militant Movement to Political Party

The explanations most often associated with the formation of new parties are those pointing to political opportunity structures, such as the presence of a proportional electoral system or the decline of the existing party system.⁴⁵ In the previous section, we argued that these explanations help explain the timing of Hamas's entrance into legislative elections as well as its surprising victory in 2006.⁴⁶ In order for a theoretical explanation to satisfactorily explain an empirical case, the cause must precede the effect – a criterion which both the declining hegemonic party explanation and the varied institutional explanations fail to meet given that Hamas had formed a party list as early as 1995 and also made regular demands for municipal elections.

We make two arguments in this section. First, we concur with scholars who suggest that Hamas's choice of the electoral route was not an isolated or surprising event, but one that is consistent with the dual path chosen by the group in achieving its goals. This argument is in keeping with the broader categorization of Hamas as an organization led by rational actors who make decisions based on cost-benefit analyses.⁴⁷ The electoral strategy was initially discussed and adopted in the early 1990s, at first hesitantly, and then with greater support by the rank and file of the group. Thus Hamas's decision to run in the 2006 legislative elections was an event that followed a historical emphasis on electoral participation.

Second, while we agree with the characterization of Hamas as a group led by rational actors, we differ from existing scholarship in our explanation for this dual strategy. We discuss three internal explanations for Hamas's decision to form a political party: one based on religious philosophy,⁴⁸ a second on resource mobilization targeting external audiences⁴⁹ and a third on the struggle for dominance between the radical and moderate factions within the movement.⁵⁰ We argue that the movement's need to mobilize resources from external sources that paid close attention to the well-being of Palestinians explains why it expressed some early support for the formation of a party and participation in elections. The ascendance of the moderates within the movement, along with the political opportunity structures discussed in the previous section, as already noted, then account for the timing of Hamas's formation of the Reform and Change Party in the 2006 legislative elections.⁵¹

Dual Strategy: Violent Resistance and the Provision of Social Services to win Palestinian support

Hamas as a movement is non-transparent in its structure, although it contains a *majlis shura* (or governing council) as well as a Politburo. It has both political and military wings, and its members include a diverse range of views on strategies and tactics ranging from moderate to militant.⁵² A number of key Hamas leaders, such as Khaled Meshal, live outside of the West Bank and Gaza Strip, and there have often been differences of opinion within the party regarding Hamas's relationship to the Palestinian Authority, its participation in electoral politics and stance vis-à-vis Israel. Hamas has always consisted of two streams of action: it is a social movement that provides educational, welfare, and other services to Palestinians throughout the West Bank and Gaza, and also a militant organization dedicated to resisting Israel. This resembles paths taken by other Islamic movements such as Hezbollah in Lebanon.⁵³ Although it has demonstrated its pragmatic nature and its political strategies have evolved in the two decades since its founding, Hamas has never

relinquished the use of arms and has continued to assert its right to resist until the end of Israel's occupation. It has, however, instituted (and generally upheld) truces—both unilateral and negotiated—on multiple occasions.⁵⁴

Hamas has broad-based support among the Palestinian population due to its provision of social services, its ongoing resistance to Israeli occupation, and its condemnation of the corruption and political failures of the dominant Fatah party.⁵⁵ An estimated 65% of education below the secondary school level in Gaza is provided by Hamas-influenced institutions, and data from the late 1990s indicate that over 275,000 Palestinians in the West Bank have benefited from Hamas-affiliated services.⁵⁶ Knudsen estimates one in six Palestinians depend on Islamic charities like Hamas as integral sources of resources without any attached conditions for support in return.⁵⁷

Hamas has followed this dual strategy, pursuing violent attacks against the Israeli state and its citizens while providing leadership and welfare services in the West Bank and Gaza Strip, since the early 1990s when it was restructured into separate military and political wings. These two wings reflected the internal division between radicals and moderates within the movement.⁵⁸ Reportedly in 1992, the movement distributed a secret poll soliciting detailed feedback from its members on choosing a future strategy from four options: direct participation in the elections, participation under a pseudonym, a complete boycott of the elections with violent activities, or a boycott with nonviolent discouragement of voters from going to the polls.⁵⁹ Soon after, Hamas participated in local elections for student and worker unions. Thus, the decision to form a political wing can be traced back to nearly two decades ago. At roughly the same time, Hamas also carried out its first suicide attack. These events highlight Hamas's intentional dual strategy since the early 1990s.

The Role of Internal Divisions: Radicals and Moderates within Hamas

While Hamas activists were participating and winning many local elections for student and worker unions, the moderate and radical wings within Hamas disagreed on the formation of an official party. Some senior leaders were convinced, having paid close attention to the electoral successes of other Islamist movements-turned-parties such as Hezbollah.⁶⁰ The National Islamic Salvation Party was created in 1995 with a list consisting of known Hamas members; however, it did not compete in the legislative election.⁶¹ After internal discussion between those in favor of participation (including Hamas's then spiritual leader Sheikh Yassin) and those against participation, the majority in the movement weighed against participation in the 1996 presidential and legislative elections in opposition to the institutions laid out in the Oslo framework. Indicative of the differences in opinion within the party, confusing reports were given by different party spokesmen during the lead up to the 1996 elections. Some announced Hamas's possible participation in the elections while others spoke against any possibility of participation.⁶²

Hamas officially boycotted the 1996 presidential and legislative elections pointing to their basis in the Oslo framework; although, it encouraged its members and supporters to run as independents and to vote in the elections. This encouragement ensured indirect presence in the political apparatus even as it maintained a distance from official participation and decision making within the Palestinian Authority.⁶³ Between 2000 and 2002, Hamas called for cooperation with Fatah to form a coalition government.⁶⁴ Hamas also continued to run candidates in elections across many sectors of civil society (university student union lists, labor and professional unions) and in all municipal elections held after 1996.⁶⁵ There was general agreement within the movement to participate in the 2005 municipal elections; after all, Hamas had been calling for them since the establishment of the PA, and they were seen as being focused on local governance concerns as

opposed to the legislative or presidential elections that were seen as legitimizing Israeli occupation.⁶⁶ Thus, Hamas's participation in the 2005 municipal elections did not reflect a break with its ideological position against the Oslo Accords as would have been the case had they participated in the legislative elections for Oslo-created and delimited political institutions.

Hamas boycotted the January 2005 presidential elections, but 57 of its agents participated in the monitoring process.⁶⁷ The decision of Hamas to participate in the 2006 legislative elections was not backed by a similar consensus as the 2005 municipal elections. As mentioned above, participation in legislative elections was seen as legitimizing the occupation and existing Oslo-established institutions like the Palestinian Legislative Council (PLC). This led to disagreement within the movement regarding participation in the legislative election. Some preferred to remain outside the PA, operating a parallel social network that could succeed without being blamed for political failures. Others, such as the leaders of the Hamas constituency in Israeli prisons and political leaders, including Khaled Meshal, argued that electoral participation could increase the movement's legitimacy and also impact its ability to effect change. Integration was seen as a complementary strategy to armed struggle; the movement did not relinquish its military capacity prior to elections.⁶⁸ As was tradition in Hamas, the dominant strain among the leadership decided future strategy. In 2006, the moderates, reflecting the majority of Palestinian civilians, were successful in demonstrating preponderance, which led to Hamas forming the Reform and Change Party for the legislative elections.

As evidenced above, Hamas considered the electoral route seriously from the early 1990s and already participated in several local and municipal elections prior to the 2006 legislative election. Participation in the 2006 elections was a continuation of Hamas's conscious dual strategy of violent action against Israel and attending to the needs of Palestinian civilians. Hamas chose this dual route

several years before the significant decline of Fatah. In fact, Hamas's dual strategy is argued to be strategically directed at undermining Fatah's popularity and legitimacy in the wake of the Oslo accords, which it was able to do successfully.⁶⁹ Therefore, it follows that Hamas's foray into parliamentary elections in 2006 was consistent with the movement's dual strategy.

We now turn our attention to the causal factors influencing Hamas's initial decision to adopt a dual strategy in order to explain the movement's foray into electoral politics - much earlier on than the 2006 legislative elections. The existing literature points to the influence of Islamic theology (stressing the role of charity) as well as Hamas's observation of other Islamist movements that have used different combinations of strategies from the following four: education, welfare services for the community, political participation and violent resistance.⁷⁰ In contrast to this view, other scholars highlight the predominantly secular makeup of Hamas in comparison to other Islamist movements - the small percentage of the leadership that has religious training and the sustained emphasis within the movement on Palestinian people deciding matters of leadership versus a more doctrinaire understanding of leadership in other Islamist institutions.⁷¹ Both strains highlight Hamas's leadership as made up of rational actors and the importance of pragmatic concerns in ultimately influencing Hamas's strategy to form a political party. These concerns include losing the support of young Palestinians (one of its main constituencies) and the need to establish itself politically in relation to its main rival, Fatah, in order to ensure its position in future leadership roles within a Palestinian state.⁷² Hamas's participation in the 2006 legislative elections reflects its ability to successfully gauge the desires of its civilian audience, the shift in Palestinian public opinion away from suicide bombings and towards nonviolent and political methods of addressing the conflict.⁷³

We add to these explanations regarding pragmatic concerns by placing them in a comparative context. Not all dissident movements follow dual strategies of violent resistance against

the state while being attentive to social welfare concerns of civilians. Some target civilians indiscriminately along with state actors. The difference, Jeremy Weinstein argues, is made by the initial endowments of the group. Rebel groups with economic endowments (through mineral wealth or secure external funding), he argues, are well-financed and thus have little incentive to have open forms of organization. Those without this secure access to wealth, however, are more likely to seek a democratic internal structure within the rebel organization and any governance bodies set up by them as they rely on citizens for support.⁷⁴ We apply this broad argument to the case of Hamas, extending Weinstein's theory regarding groups dependent on economic endowments to include cases where external donors, who make funding decisions annually, pay close attention to the welfare of civilians. In these cases, such as that of Hamas, the rebel movement is likely to seek more participatory structures. This is not limited to the group's own organization, but also applies to external governance structures such as democratic electoral structures and government institutions. Movements, such as Hamas, dependent on external financing, may work to gain legitimacy through electoral participation and representation in external governance structures in order to maintain or secure additional funding.

Hamas has limited sources of funding within the Palestinian territories with the majority of its funding coming from external donors including those in Saudi Arabia and Iran.⁷⁵ In addition to not relying heavily on its highly impoverished local population for funding, Hamas runs successful charities for this local population. It has a strong presence in a large number of social areas – schools, healthcare, orphanages and sports programs. The existing literature argues that this welfare work is partly fueled by its origins in Islamic theology where charity is an integral part of piety⁷⁶ as well as broader concerns regarding civilian support.⁷⁷ We differ from the existing literature, arguing that the reason Hamas pays attention to civilian support is a practical one regarding resources from external donors. Hamas's popularity depends on its affiliation with these charities that project its

image as a “socially active and caring organization.”⁷⁸ Hamas is funded largely by charitable organizations and individuals residing outside of the West Bank and Gaza Strip, across the Muslim world, including Saudi Arabia, Iran, Jordan, Kuwait as well as Western Europe and North America, that pay close attention to civilian welfare in making these funding decisions.⁷⁹ Most of these donations are made through charitable organizations associated with Hamas, the names of these organizations are changed frequently to blur their links with the violent group.⁸⁰ Hamas has worked to keep its charitable endeavors and political wing separate from its military wing precisely because it fears the loss of funding from these external donors.⁸¹

Some scholars have linked Hamas, as an organization led by rational actors, to the strategic decision to provide welfare services, explained by its need to maintain civilian support⁸² and by extension, its external sources of funding.⁸³ Yet, to the best of our knowledge, no existing scholarship explicitly links this resource dependence (on external donors) to Hamas’s strategic decision to participate in elections. We argue that the dependence on external sources of funding not only keeps Hamas focused on the welfare of Palestinian civilians for their continued support of the movement but that the electoral strategy is only a natural extension of this process. Hamas seeks to widen its influence on the civilian population through elections and the consequently broadened range of services it could provide to these constituents. A widely supported political party would provide a clear indication of popularity amongst civilians, allowing the movement greater legitimacy. This increased legitimacy would help the movement garner new sources of funding.⁸⁴

Extending Weinstein’s resource based theory to this case, it follows that Hamas, dependent on external sources of support, is keen to present itself as a clean, disciplined alternative to Fatah (perceived widely as being corrupt and factionalized) with popular civilian support through elections.⁸⁵ Hamas utilizes a dual strategy to separate its social welfare activities, targeting Palestinian

civilians, from military tactics, targeting the Israeli state, in order to encourage continued funding from external donors. This dual strategy included the setting up of myriad charitable trusts, through which donations are received, and forming a political party under a separate name, thus separating Hamas's legitimate social welfare and political wings from its military wing. Therefore, a need for external funding spurred Hamas's drive to demonstrate its popularity among Palestinian civilians,⁸⁶ a cause that spurred this rebel group to form its own political party.

A closer look at Hamas's funding sources clarifies these links. Several scholars and popular news sources point to the majority of Hamas's funding coming from foreign charities based primarily in Persian Gulf states, with Saudi Arabia being the largest donor, as well as from Western countries such as the United States, the Netherlands, Germany and Great Britain.⁸⁷ Here fundraisers and individual zakat donations (traditionally 2.5% of Muslim earnings are earmarked for charity) are directed to charitable organizations in these countries, such as al-Aqsa or Interpal, and then to Hamas.⁸⁸ Some donors know they are contributing to Hamas and its various activities while others think they are donating to help with humanitarian causes in the Palestinian territories.⁸⁹ Many individual donors contribute towards charities with the aim of helping fellow Muslims, 'families of martyrs' or just aiding impoverished Palestinian civilians.

At Hamas's end, there is a purposeful lack of transparency in how these funds are gained and utilized (although Israeli intelligence points to 80-90% of Hamas's funds being directed to public service provision in the West Bank and the Gaza Strip).⁹⁰ This murkiness is achieved partially by Hamas' insistence to its foreign donors of its multiple wings, each playing an important yet separate role. For example, a letter written by Hamas activists to benefactors, explains how donations from abroad have helped set up Hamas' multiple wings and their importance – the popular support arm for its welfare activities and the military arm to revive support for the

resistance when needed.⁹¹ Thus, Hamas uses these separate wings and particularly the welfare activities carried out by the popular support arm to maintain and attract funding even from those benefactors who are aware of its military activities.

Hamas's case to foreign donors, charitable organizations who channel funds to Hamas from individuals or those who know they are giving to Hamas-affiliated agencies, would only be enhanced by Hamas's increased acceptance among Palestinian civilians. Elections are the most public form of this acceptance process. Hamas went through this legitimizing process step-by-step, first through its efforts to win local grassroots support through the provision of welfare services. Then Hamas tested this popularity at the local level by running its candidates in elections for students and workers' unions, winning several by 1992 and even more between 1995 and 2006, including elections held at the Islamic University in Gaza.⁹² When in power at the local or municipal level, Hamas built a reputation for "public service and personal rectitude."⁹³ Together, the welfare activities carried out by the wide network of organizations affiliated with the group and its reputation as a credible source of local governance helped establish Hamas as an organization that was greater than the military wing it had primarily been associated with in the past. This view of Hamas as several separate wings, only one of which is military and increasing popularity for its social and political wings have greatly helped it gain legitimacy abroad and garner greater funding from its foreign donors.⁹⁴ Thus, Hamas strategically stepped into the electoral arena in the early 1990s to enhance its public image and establish itself as an organization with political, social and military wings, an image it has successfully used to attract funding from foreign donors.

The above theoretical argument, resting on pragmatic concerns of funding, is the most compelling explanation of *why* Hamas decided to participate in elections. Hamas relies on external sources of funding, resources that are more likely to be directed to an organizations seen as a

legitimate political actor by the Palestinian people. Thus, Hamas strategically decided to seek legitimacy through the establishment of its social wing and its political wing through participation in elections. By applying Weinstein's argument to the Hamas case, we extend the original theory to include a new set of cases. We demonstrate that dependence on funding from external sources does not always drive movements to ignore the welfare of civilians. There may be strong incentives provided for the rebel group receiving these funds to attract and maintain the support of civilians through public services and participation in elections. This acquired legitimacy of the rebel group in the eyes of this constituency could be the key to continued funding from donors keenly interested in the welfare of these civilian constituents. In these cases, movements seek legitimacy not only through introducing greater transparency in the internal structures of the organization, as Weinstein suggests, but also through participation in institutional structures like elections for government positions.⁹⁵ This extension of Weinstein's theory is a contribution to the broader comparative literature on rebel movements and their transformation to political parties.

Theoretical Lessons from the Hamas Case: Why do Violent Movements Decide to Participate in Elections?

In this paper, we discuss causes for Hamas's decision to run in elections at the local and eventually at the national level. We find that causes internal to the organization, in the form of pragmatic concerns regarding continued external funding, provide the most compelling explanation for why Hamas formed a political party. Its reliance on external sources of funding from individuals and charitable organizations that are keenly invested in the welfare of Palestinian civilians as fellow Arabs, Muslims or purely on humanitarian grounds, led to Hamas's need to form separate social and political wings. The political wing was used to establish Hamas's legitimacy by winning and demonstrating the public support of Palestinian civilians. This desire for increased legitimacy led

Hamas to participate in local elections for student bodies and professional organizations throughout the 1990s and 2000s, form the National Islamic Salvation Party in 1995 and the Reform and Change Party that won the iconic 2006 legislative elections.

While resource needs explain Hamas's rationale for forming political parties and participating in elections, the exact timing of these decisions is explained by the opening of political opportunity structures. The holding of municipal elections (several rounds in 2004-2005) provided a first, non-controversial opportunity for the Reform and Change Party to field candidates; this was not sufficient, however, for Hamas to decide to engage in national-level political institutions as it boycotted the 2005 Presidential elections. The decline of Fatah, lax electoral rules and Hamas's rise in popularity led to a political space becoming available where Hamas could confidently field a political party in the 2006 legislative elections. In addition, the mood of the Palestinian people was judged with great acuity by Hamas's leaders, allowing the moderate faction that had supported the idea of a political party since the 1990s to gain dominance within the movement. These factors - new political opportunity structures and the rise of the moderates in the movement's leadership - collectively explain the *timing* of the formation of the Reform and Change Party and its participation in the 2005 municipal elections and then the 2006 legislative elections, which required participating in an Oslo-created institutional process.

The decision to compete in the 2006 legislative elections and Hamas's victory had a profound influence on Palestinian politics and the potential for peace in the region. In the next section, we discuss Hamas's electoral victory, its failed attempt to govern and prospects for further democratization in the Palestinian territories.

Hamas's Electoral Success and Prospects for Peace and Democratization

After Hamas's victory in the 2006 legislative elections, the movement became central to the question of democratization in the region. Some thought the results might be an opportunity for moderating Hamas as it was now accountable for governance issues.⁹⁶ Even within Hamas, some were open to the potential for negotiation with Israel; although, others continued to advocate military resistance as the only way to fight Israel's on-going occupation.⁹⁷ However, this speculation came to naught with the international boycott of the Hamas-led government led by the U.S. and Israel and Fatah's refusal of Hamas's invitation to join the government.⁹⁸ Not only were Hamas parliamentarians arrested by Israel, but the U.S. provided political and military assistance to President Abbas and his Fatah party and encouraged calls for new elections.⁹⁹ The economic and political stranglehold put on Hamas led one official to ask, "So which language should Hamas use, the language of negotiation or the language of jihad? I'm trying to speak the language of negotiation, but what am I gaining?"¹⁰⁰

Repeated efforts to build national unity, such as the May 2006 Prisoner's document and the February 2007 Mecca Agreement, were actively discredited by the U.S. and Israel and simmering tensions between Fatah and Hamas eventually led to armed conflict in the Gaza Strip and the establishment of two rival Palestinian governments in the West Bank and Gaza Strip. Thereafter, Hamas turned to violence again. The three-week military confrontation between Israel and Hamas militants in the Gaza Strip that began December 27, 2008, was seen by many as a Hamas 'victory' due to Israel's failure to eradicate the movement despite its use of overwhelming force. It also strengthened the radical section within Hamas, which argued that Israel only understands the language of violence. Israel's blockade of the Gaza Strip, in place since 2007 (with Egypt's cooperation), has strengthened, not weakened, Hamas as it controls the income generated from bringing in necessary goods through the tunnels which are Gaza's only life support in light of the blockade.¹⁰¹

At the time of writing, the prognosis for increased democratization through regularly-scheduled elections in Palestine is unclear. Although Fatah leader, Prime Minister Salam Fayyad is beloved by the international community (he has held positions at the IMF and World Bank), he is unelected and has little popular support.¹⁰² Furthermore, President Mahmoud Abbas has been ruling by presidential decree since January 2010 when his term expired, and there has been no legislature since June 2007.¹⁰³ Because of this lack of government legitimacy, Hamas called for a boycott of the municipal elections scheduled for July 2010. This boycott became a moot point, however, since the Fatah party cancelled the elections because, as in 2006, Fatah was divided and could not determine a suitable list of candidates.¹⁰⁴ After failed talks in November 2010, a positive step was taken in the form of a secret deal between Fatah and Hamas, brokered by the caretaker Egyptian government in April 2011 in Cairo.¹⁰⁵ Yet, we can only be cautiously optimistic about democratization in the West Bank and Gaza Strip, as the agreement was mostly technical, laying out plans for elections in 2012. It did not speak of substantive shared political or strategic goals for the possible unity government. Furthermore, absent clear signals from the United States and Israel that a unity government would be embraced rather than boycotted by the international community, it is unclear what impact Palestinian unity would have on Palestinian democratization, given the aftermath of the 2006 legislative election.

In the middle of Fatah and Hamas's inability and reluctance to cooperate lies a Palestinian population increasingly dissatisfied with both parties and the wider political process. Many Palestinians, including the March 15, 2011 youth movement inspired by the Arab Spring, demand political reconciliation between the governments of the West Bank and the Gaza Strip before any real democratization or substantive peace process can occur.¹⁰⁶ A recent survey conducted by Al-Mustaqbal Research Center of 1000 respondents in Gaza found decreased support for both Fatah and Hamas with over 20% of Palestinians saying they didn't know who they would support for the

next Palestinian Legislative Council election. The population also identifies U.S.-Israeli actions as being the primary cause of the stalemate between Fatah and Hamas.¹⁰⁷

It is impossible to ignore the tremendous role that international actors have played in influencing politics in the Palestinian territories. The energy exerted to sideline Hamas, which has included the boycott, weapons and training for Fatah-dominated security personnel, a failed coup in the Gaza Strip, and a massive, violent Israeli assault on the Gaza Strip in late 2008, has in turn *strengthened* Hamas's resolve to continue its dual strategy that includes violence.¹⁰⁸ The postponement of the presidential elections (which should have been held in January 2010) and the 2011 municipal elections are yet another indication to such movements that democracy has been undermined in the effort to keep Hamas out of political power.

Conclusion

This study makes several important contributions to the literature on rebel movements traditionally associated with the use of violent means, choosing to participate in elections. While many observers have pointed to Hamas's participation in the legislative election as unusual, we highlight the decision to form a political party as a rational, pragmatic step in keeping with Hamas's continuing dual strategy of violence against Israel and the provision of welfare services for Palestinian civilians. We demonstrate that resource based arguments provide the most compelling explanation for Hamas's decision to participate in elections.¹⁰⁹ Hamas's need for continued external funding from sources invested in civilian welfare provided strong incentives for Hamas to seek legitimacy and public support through the provision of local services and elections. This explanation not only helps us better understand the Hamas case but also provides a valuable contribution to the broader literature on rebel movements, highlighting the conditions under which violent movements choose to pay attention to the welfare of civilian populations.

We separate Hamas's decision to form a political party from the timing of its entry into legislative elections. We demonstrate that the opening of political opportunities, including weak party registration procedures, the leadership gap left by Arafat's death and the decline of Fatah's hegemony (due to corruption and low efficacy), and an additional external factor, the consecutive rise in Hamas's own popularity explain the timing of Hamas's entry into legislative elections in 2006. In addition, the introduction of the new mixed electoral system, Hamas's strong showing in municipal elections, and Fatah's strategic failures explained Hamas's electoral victory in 2006.

Our discussion of prospects for further democratization in the region presents an overview of the continuing stalemate between Fatah and Hamas and the resulting frustrations of the Palestinian people. The example of Hamas indicates that in the absence of a serious commitment to democratization on the part of powerful regional and international actors, allowing legally elected actors such as Hamas to govern, there is little hope for optimism regarding increased participation from Palestinian civilians in the democratic process and continuing democratization in the region. At the end of a comparison between the underlying policies of self-government given to South African Bantustans by Apartheid South Africa and to the Palestinian Authority as part of agreements from the Oslo accords to the Annapolis Conference, Virginia Tilley observes that "attempts to defuse black resistance [under the Apartheid regime] did not bring peace and stability to South Africa".¹¹⁰ Similarly, we argue that efforts to sideline Hamas will not bring about a stable peace or democracy in Israel/Palestine.

The above discussion has left an important question unanswered regarding elections in the absence of sovereignty. What political mechanisms can the international community support that will bring sustainable democratization to the Palestinian polity? Palestinian democrats have long been calling for increased governmental accountability and regular elections. However, for local

movements to successfully transform into political parties, they must believe that participation in the electoral process is likely to bring about real access to government formation and policy making.

While most of the donor community focuses on Palestinian domestic efforts to build the institutions for a democratic state (as evidenced in the state building program of the current Palestinian Prime Minister Fayyad), they often overlook the importance of the international context. Future research would do well to examine other Islamist movements and the extent to which their efforts were similarly constrained or aided by domestic and international actors.

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