



**HAMAS
AT THE
MIDDLE EAST PEACE TABLE:
WHY?**

**Women's International League for Peace and Freedom
United States Section
Middle East Issues Committee**

2014

HAMAS AT THE MIDDLE EAST PEACE TABLE: WHY?

TABLE OF CONTENTS

I.	SUMMARY	1
II.	CONSIDERATIONS THAT LED TO THIS PROJECT	1
III.	INTRODUCTION	3
IV.	MODERN HISTORY OF GAZA	5
	A. The British Mandate Period (1920-1948)	6
	B. The Holocaust (1933-1945)	7
	C. The Period Following 1948: Israeli Statehood Brings Palestinian Refugees	7
	D. The 1967 Six-Day War and a New Influx of Refugees.....	8
	E. The PLO, the Palestinian Authority (PA) and Hamas	9
V.	WHAT IS HAMAS?.....	11
	A. The Founding of Hamas	11
	B. Hamas and the Two Intifadas	13
	C. Hamas and Palestine	15
VI.	HAMAS AND PEACE	16
	A. Hamas and Peace with Israel	16
	B. Hamas and the Roadmap.....	17
	C. Hamas and the United States.....	17
VII.	WILPF ACTION PLAN.....	18
VIII.	AREA MAP.....	20
IX.	AUTHORS	21
X.	NOTES	22

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I. SUMMARY

The members of our Middle East Issue Committee of the United States Section of the Women's International League for Peace and Freedom (WILPF-US) believe in democracy. Not the kind of democracy that is imposed upon people, such as when another nation chooses who speaks for them, but the kind that adheres to the literal translation of the word from the original Greek language: "demos" – "the people" and "kratos" – "rule." If we truly believe that democracy (rule by the people) is the best result that can be attained by a nation-state, then we have to insist that "the people" have a say in how they are ruled, and by whom. And also, who can speak on their behalf.

Our study of Palestine and Hamas indicates violations of democracy, which led to this discussion and the publication of this booklet. In free and fair elections held in 2006, the Palestinian people chose a representative leadership which can speak for them in peace talks. However, this leadership, in the form of Hamas, as the elected government serving at least Gaza, has not been allowed to be seated at the peace table, nor to participate as the duly elected representatives of the Palestinian people. Consequently, any peace agreement which might be reached in the Palestinian-Israeli conflict might not be representative of the will of the majority. We believe that Hamas, as the elected representative, must have the opportunity to participate in all peace talks. Hamas, specifically excluded from these talks while it governed Gaza, has been similarly shunned since the establishment of the "unity government" that has been overseeing Gaza since the summer of 2014.

In this booklet, we describe the history of the people who elected Hamas in the context of the time and place in which Hamas came into being. We attempt to demystify the organization Hamas as it now exists. We do not deny that Israel and Palestine – or Israel and Hamas – are enemies. But we do recognize that, if one wishes to achieve peace, one must speak with one's enemies. Speaking only with one's friends will not achieve the desired result.

With this paper, we share our information, concerns and ideas with members of our US Section of WILPF and other concerned people. We focus on the elected leadership of the Palestinians, what issues are important to them and why the US and Israel – both of whom oppose the Inclusion of Hamas in the talks – need to change their stances. We also set forth, at the end, a plan of action to encourage a major change in official US policy. It is our right as US citizens to advocate for this change, and we consider it our duty to encourage it, as we believe it is crucial to reaching the goal of peace and justice for all of the peoples of the region.

We believe that any peace process between Israel and Palestine is flawed if it does not include Hamas, one of the major Palestinian parties. Hamas won the right to represent citizens by a landslide in the 2006 governmental elections held in Palestine for the West Bank and Gaza and served as the government, in Gaza only, during most of the time this booklet was being written, until the formation of a "unity government" in the summer of 2014.

II. CONSIDERATIONS THAT LED TO THIS PROJECT

We looked at how the peace process could better be accomplished and kept realizing that without Hamas included as a necessary party to this peace process, progress will not be made. As we worked through the issues, we kept asking why have the US and Israel not included

Hamas as necessary parties? We realized that the continued inclusion of a major political party governing one of the key peoples in this conflict – the people of Gaza – on the US Terrorist List was a major stumbling block mitigating against reaching the next logical steps in the peace process. That led in turn to ask another why - why do the US and Israel insist on inaccurately characterizing Hamas as a “terrorist” organization?

We see four main reasons why Israel and the US refuse to deal with Hamas and why the US originally put Hamas on its Terrorist List.

- First, during the Second Intifada,¹ the Palestinian uprising against the Israeli occupation (2000-2004), the Izzadin Qassam Brigades, Hamas’ autonomous armed branch, used suicide bombers as a response to Israel’s bombing and mortar attacks on refugee camps. The place held by Hamas on the US “Terrorist List,” on which it had been originally placed, effective October 7, 1997, was more firmly cemented there largely because Israeli civilians were killed by Izzadin Qassam Brigades’ suicide bombers during the Second Intifada.^{2,3}

Noteworthy is that Hamas, the political party and social services organization, holds a place there, but not the Izzadin Qassam Brigades itself – even though Hamas has been separate from the Izzadin Qassam Brigades since 1992. We also note that the Izzadin Qassam Brigades has not used suicide bombers since 2004, and between 2008 and the summer of 2014, Hamas had largely protected Israeli civilians by preventing the smaller parties in Gaza - such as Islamic Jihad, Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP) – from shooting rockets into Israel.

- Second, Hamas refuses to recognize Israel. We note that while Hamas, unlike the Palestine Liberation (PLO), has not recognized Israel, neither have twenty other members of the Arab League,⁴ reiterating their refusal to do so at a summit held in March 2014.⁵ (Jordan and Egypt have recognized Israel in their respective treaties with Israel.) However, all of the Arab League nations are part of the Arab Peace Initiative of 2002 and committed under that Initiative to recognize Israel once Israel signs a peace treaty and withdraws from the occupied Arab territory.⁶ As Khaled Meshaal, leader of the Hamas political bureau since 2004, said, in August 2006 in the publication *Asharq Al-awsat*, “Hamas will accept the Saudi initiative [the Arab Peace Initiative of 2002] and consult with the council of the Muslim Brotherhood.” In 2012, referencing Israel’s crimes against humanity and war crimes in Gaza, Meshaal subsequently changed and said that Hamas would live in peace next to Israel but it would not recognize it. However, If Israel implements the Arab Peace Initiative of 2002, and all the other Arab countries recognize Israel, it would be very difficult for Hamas not to recognize Israel also. Hamas should be treated like the other Arab countries that have not recognized Israel but with which the US has diplomatic relations and with which Israel would like to have diplomatic relations.
- Third, Israel used to state frequently that Hamas wants to destroy Israel. Although it can readily be seen that the governments of both Palestine and Israel would prefer that the other entity not exist, Hamas has not threatened to destroy Israel, although its spokespeople may have said that Israel should not exist. In 2004 Hamas undertook a unilateral ceasefire that it has largely observed except when it has been attacked inside Gaza. Israel however, has attacked Gaza three times for the purpose of destroying Hamas: “Operation Molten Lead” (often reported by the US mass media as “Operation Cast Lead”) in December 2008 – January 2009; “Operation Pillar of Defense” in November 2012; and “Operation Protective Edge” in July – August 2014. Israel often has

violated the ceasefires that both parties agreed upon or unilaterally initiated. Israel continually commits actions that have been characterized as war crimes by an increasing number of nations around the world. Incidents include persistent attacks upon Palestinian farmers working their land near the border and Palestinians commercially fishing in allowed waters.

- Fourth, the US and Israel claim that Hamas has not renounced violence. While these may be accurate claims, as noted above, Hamas has not attacked inside Israel except when Israel has attacked or invaded Gaza. Hamas does defend itself, however, as it is authorized to do by the United Nations (UN) Charter since Palestine is now recognized by the UN as a state and thus has the right of self-defense. Moreover, Israel has been and continues to be the aggressor against Hamas, even though, as noted above, Hamas since 2008 with reasonable success had prevented the small parties in Gaza, such as Islamic Jihad, Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP), from shooting rockets into Israel and thus has been protecting the lives of Israeli citizens. As Ahmed Yusef, deputy Foreign Minister for Hamas, stated on *Al Jazeera* in September 2010: “The government [Hamas] regrets all civilian deaths.” Why is Israel not asked to renounce violence? And why does the US not take Hamas off the Terrorist List?

A review of the historical record, which requires reading outside of the limited scope and viewpoints expressed by US mainstream media, reveals that Hamas is not the sole aggressor that Israel and the US portray it as being, and that Hamas is willing to have peace with Israel. We need to be asking serious questions beyond whether Hamas is willing to have peace with Israel – questions about whether Israel is willing to have peace with Hamas; why the US should be concerned about that question; why the US should remove Hamas from its Terrorist List and how we could help to make that action happen and to move the peace process forward.

The main reasons that Hamas should be taken off the Terrorist List and included in peace negotiations for the region are that the Palestinian people, by a clear majority, elected Hamas as their government in January 2006. Hamas has not been allowed to participate in peace talks as the lawful representative of the Palestinian people. Hamas has become increasingly pragmatic, especially since it began governing Gaza and, like many radical organizations, has become more moderate since it has become part of the political process, first as the government in Gaza and now in its agreement to the unity government. Hamas therefore deserves to be taken off the Terrorist List so that it can be invited to the negotiating table along with all other necessary parties and stakeholders.

III. INTRODUCTION

The Middle East Issue Committee (ME Committee or Committee) of the United States (US) Section of Women’s International League for Peace and Freedom (WILPF or WILPF-US) has been engaged in a series of lengthy and multi-year internal conversations regarding Hamas and its relationship to peace talks in the Palestinian-Israeli conflict.

We urge you to study this information and our ideas, and also to search out additional information on your own. The status of Hamas and whether it should be included in peace talks is a complex one, and we will need to become educated about it in order to reach consensus on how to proceed going forward. The issue has been present for too long as “the elephant in the

room,” and it needs honest and candid discussion. At the very least, it can no longer remain taboo.

All members of the WILPF-US Section ME Committee agree on the necessity of having all parties present and participating in peace negotiations if there is to be any chance at having those negotiations succeed. We have been expanding our discussion to encompass the rest of the Section’s members. Barbara Taft, co-chair of the ME Committee, and Ellen Rosser, a ME Committee member who has spent many years in the region, drafted the material in this booklet to explain Committee viewpoints. The Committee is aware that the US mass media rarely delve into a complete picture of the complexities involved, and even WILPF members and friends can be confused. We are therefore presenting here some ideas seldom mentioned in the US mass media but which are being discussed in diplomatic arenas around the globe.

At the time of the writing and final editing of this booklet, in the fall of 2014, Israel, the US, Canada, the European Union, and Japan classify Hamas as a terrorist organization. Russia, Iran, Turkey, and the Arab nations are among 162 UN-member nations that do not. As noted above, the US Department of State (DOS) established designations for Hamas and many other organizations as “terrorists,” effective October 7, 1997, on its designated list of Foreign Terrorist Organizations,⁷ referred to in this booklet as the “Terrorist List.” Hamas was placed on the list because it was claimed that acts of violence had been committed by the group. Hamas has always claimed that its actions were defensive in nature. In the intervening years, little consideration has been given to any changes in the political position of Hamas itself, or of any circumstances on the ground which might make a re-evaluation of the US position regarding Hamas as a terrorist organization appropriate in 2014. We would like to encourage such a re-evaluation.

Organizations change over time. Hamas is no exception. As noted above, in the last Palestinian election in 2006, deemed fair and legitimate by international observers, Hamas was elected to be the government of the Palestinians, winning the majority of votes in both Gaza and the West Bank, although it has only been allowed to govern Gaza, and not the West Bank, where the minority political party, Fatah, was given the authority to govern. In summer of 2014 this changed, after prolonged brutal military assaults on Gaza by Israel, to rule by a unity government.

Israel and the US have consistently tried to de-legitimize the January 2006 Palestinian election that resoundingly placed Hamas as the winning party. Both reiterate their determination formed roughly a quarter-century earlier that Hamas, as originally instituted and allegedly still constituted, is a terrorist organization. Rigidly holding these views, rather than recognizing the changes that have taken place within and by Hamas, the US and Israel continue to insist on talking only with Fatah, the Palestinian minority political party. Despite the 2006 internationally declared fair and democratic election of Hamas, Fatah, the “also-ran” party, was maneuvered by outside pressures into control of both the West Bank and Gaza. In 2007, Hamas prevented a coup against it in Gaza and held onto the government there. Following prolonged Israeli attacks on Gaza in the summer of 2014, external powers pushed for the compromise formation of a unity government in Gaza that is tepidly being recognized by Israel and the US. But earlier attempts at “peace” negotiations have been undertaken by the US and Israel without all parties present and participating. This has led many to question the purported desire for a just peace.

We must recognize the legitimacy of democratically held elections. Where a party represents a significant portion of a population, ignoring it will not lead to productive discussions on major issues. This is especially true in the Palestinian-Israeli conflict. Recognized senior authority of

the Israeli peace movement, Uri Avnery, has noted that, in a conflict, you must speak with the enemy; conflicts aren't solved by speaking with your friends. Israel's official stance (not the position of the Israeli "peace camp") is that Hamas is its avowed enemy and Israel uses that as an excuse for not moving the peace process forward. This is self-defeating, if the goal is to achieve peace.

We believe sufficient changes have taken place in the outlook of Hamas to make it a legitimate partner in peace talks in its elected role as the proper representative of more than half of the Palestinian people. Hamas' Khaled Meshaal, head of its political bureau, has stated that Hamas will accept any peace agreement with Israel ratified by referendum or by the Palestinian Parliament.

As it operates today, Hamas is a social service organization, containing structures that are political in nature. It functioned as the government of Gaza following the 2006 election until the Palestinian unity government was declared on June 2, 2014. It would serve the cause of peace to remove Hamas from the Terrorist List and to include Hamas in future peace talks. The US Department of State (DOS) removed the Iranian group Mujaheddin al-Khalq (MEK) from this list in September 2012, after having listed the MEK there for 15 years. Some observers questioned the reasons for this removal, noting that the MEK still fits most descriptions of a terrorist organization. (However the MEK opposes the government of Iran, making it useful to both Israel and the US.) An organization's presence on the Terrorist List gives the US complete freedom to refuse to recognize any of the listed organizations or any constructive work they may be doing in their countries of origin or elsewhere. (*n.b.* During his life, the recently deceased and venerated Nelson Mandela was personally listed on the Terrorist List, as was his African National Congress [ANC] party from 1988 until 2008.)

Additional information about many of the relevant issues in this paper is available on the ME Committee pages of the WILPF-US Section website.⁸ We are offering this booklet to provide brief overviews of the topic and about the issues involved, from the perspectives of those of us involved in the project. The body of literature available for further study is enormous and we commend further study to you. As to our project, we urge our members and other readers to look at the materials within the booklet and referenced in the endnotes and to add your voices to the discussion and the actions we are proposing. Our contact information is at the end of the body of the paper.

IV. MODERN HISTORY OF GAZA⁹

Hamas originated in Gaza, also known as the Gaza Strip,¹⁰ a narrow strip of land along the southwestern coast of what has been known as Palestine for many centuries.¹¹ Originally a fertile region, Gaza became too crowded with Palestinian refugees expelled from the State of Israel in 1948 for much of its historic agriculture to thrive. Although crowding is one part of the problem, it should be noted that Israel has bulldozed thousands of Gaza's acres of crops and orchards, diverted much of its water and declared hundreds of square meters along its border a buffer zone in which no agriculture or other activity can take place. In 2008-09, 2012 and 2014 Israel bombed Gaza extensively, destroying lives, livelihood and infrastructure on a massive scale; and has maintained a siege since 2007. The context for our brief history of Hamas is Gaza, the area in which it began.

Even for those of us who have spent many years working on the question of how to create a peaceful future for those living in the land of Israel/Palestine, the issues are complex, and not the least of them are geographic.

Gaza is a densely populated land that has supported an agrarian economy over much of its history. Although it has recently been called “the world’s largest outdoor prison,”¹² it was once a land of well-developed beach resorts that were popular sites of wedding parties and there was joy in its tourist hotels and on its beaches. Gaza’s tortured history under multiple occupations made it ripe for the establishment of a group such as Hamas.

Hamas is, above all else, an organization that came about, and continues to exist, in large part because of its political and geographical environment. In order to understand Hamas, it is important to look at history, as well as social science, economics, geography and a variety of other disciplines.

Hamas has many supporters in the West Bank and even within the State of Israel itself. It has, however, since its election in 2006 to run the Palestinian government, only been allowed to govern in Gaza, and it is this area from which it draws its greatest support.

Looking at Gaza’s history over the last hundred years will help to put some context around the complex idea of why Hamas exists, how it is seen in the region, and why the WILPF-US Middle East Committee is focusing on what we believe is an issue critical to moving the peace process forward.

The First World War was a significant period in Middle Eastern history. The Gaza Strip had been part of the Gaza District, one of six districts established under the 400 years of Ottoman rule (1516-1917). The inhabitants at that time were Arabic-speaking people, and by the end of the Ottoman Empire and the beginning of what is known as the British Mandate Period (1920-1948), Gaza was widely considered to be a part of Palestine. After the arrival of the British into Palestine following World War I, during the British Mandate Period, Gaza began to take on its modern character as a region in economic collapse.^{13,14} After the 1948 war, Gaza was administered by Egypt, while the West Bank was administered by Jordan.

A. The British Mandate Period (1920-1948)

During the years from 1920 to 1948, when the British held “the [League of Nations] Mandate” for the land known as Palestine, the British generally accepted that a “national homeland for the Jewish people” was necessary, and that it should be in Palestine, per the Balfour Declaration of 1917, a letter that many refer to as Israel’s founding document.¹⁵ Without the Balfour Declaration, there probably would have been no Israeli Declaration of Independence on May 14, 1948.

During World War I, the Arabs in Palestine had joined the Allies to fight the Turks. After the war, the Arabs in Palestine felt they had been promised Palestine as their homeland under the British Mandate and by the McMahon Agreement in exchange for their service to the Allies’ war effort. Britain, however, claimed the McMahon Agreement did not give any such promises to the Arabs in Palestine.¹⁶ The Jews felt that the British promised the same area of land to them with the Balfour Declaration.

Under the “national homeland for the Jewish people” terms of the Balfour Declaration, the British favored Jewish economic development over Palestinian Arab development and, as a

result, Jewish income tended to be higher than that of the Arab population throughout Palestine but particularly in Gaza. This was sometimes due to favoritism and often due to laws promulgated at that time that favored land ownership by Jews over Arabs, as well as easier access to financing and other economic advantages for the newly-arrived Jewish population. The Arabs of Palestine considered Gaza to be an integral part of their land. This had been so for almost two thousand years and there had been some Jews present during most of this time. But after 1919, the Arabs came up against formidable opponents in the new Jewish arrivals, who often wanted the best land for themselves. The largely agrarian Arabs were no match for the incoming European Jewish immigrants, who often duped the Arabs by buying land using non-Jewish third parties. Well-educated and wealthy Arabs who willingly sold their land were most often absentee landlords and were happy to make profits on land for which they had little use.

Census data from the period of the British Mandate indicate that the indigenous Arab population of Gaza constituted about 70,000 persons, including some Jews. This overall population of 70,000 was a sustainable number on the land. Most Arabs in the Gaza region were farmers or commercial fishers. The land was sufficiently fertile to support grain agriculture, as well as citrus farming. Generally speaking, no one was getting rich, and the economy was little more than a subsistence one, although it was possible to live in Gaza and have a moderately good standard of living, as compared to other areas of the region where farming and fishing were not even options.

B. The Holocaust (1933-1945)

The growing power of the National Socialist German Workers' Party, commonly known as the Nazi Party, and the appointment of its leader, Adolf Hitler, to the Chancellorship of Germany (1933), resulted in escalating violence against Jews and others. During the Holocaust, persecutions intensified into pogroms, exile into concentration camps, and executions and mass murders. Even before World War II, Jews desperately sought to leave Germany and other countries under occupation by the Nazis. Despite British blockades, many Jewish refugees arrived in Palestine.

During the 1930s, while the Nazis reigned in Germany and began occupying parts of Europe, Jewish refugees fled to any place that would take them. Unfortunately, the US had quotas far short of the demand for such immigration. Despite severe British restrictions, over 60,000 Jewish refugees entered Palestine at this time.¹⁷ However, very few Jews had any interest in the Gaza Strip. These two factors are important in the shaping of modern-day Gaza.

C. The Period Following 1948: Israeli Statehood Brings Palestinian Refugees

On November 29, 1947, the UN General Assembly passed Resolution 181 that recommended a plan for the partition of Palestine and termination of the British Mandate. Israel declared itself a state on May 14, 1948. What Israelis refer to as their Independence Day is referred to by Arabs as the *nakba*, a word best translated into English as "catastrophe." The partition plan gave more than half the land to the Jewish minority. By most accounts, during the 1948 Arab-Israeli War (May 1948 – July 1949), three-quarters of a million Palestinian Arabs became refugees, unable to return to their homes in coastal Palestine and elsewhere. Many resettled in other parts of Palestine, while others fled across borders that were soon closed. Many lost their lives trying to return to their homes and to family members who were left behind when they fled.

The area now known as the Gaza Strip received from 200,000 to 250,000 Palestinian refugees at that time. Meanwhile, two-thirds of the former Gaza District, including the cities of Ashdod and Ashkelon, was incorporated into the new state of Israel, leaving the remaining Gaza Strip area under Arab rule. Statistically speaking, one-third of the land previously called Gaza was now tasked with providing for more than four times the previous population of the whole area. The economy of Gaza was already struggling along at a subsistence level prior to the influx of these refugees, who often arrived carrying their remaining earthly belongings on their backs.

Egypt was still ruling in Gaza by means of a military administration that consisted of harsh control, and offered no assistance to the newly homeless refugee population. Although a certain proportion of those new arrivals had been professionals, merchants and landowners, their new status was no better than that of the approximately 65% of their fellow refugees who were farmers and unskilled workers. Gaza City, which before the Arab-Israeli War of 1948 had a population of about 35,000, now found itself having to accommodate 170,000 persons on the same budget, which was impossible.

By 1950, the UN had established an agency to deal with the problems faced by these refugees. Called the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA), it was responsible for establishing refugee camps, feeding stations and medical care, as well as schools in Gaza, for those who had recently arrived penniless. By 1952, there were eight refugee camps in Gaza. Refugees were routinely excluded from mainstream social and economic affairs and were far more concerned in these early years with survival than with governance. It was at this time that both the Communist Party and the Muslim Brotherhood attempted to organize the population to work for their own betterment, one through political and the other through religious means. The Muslim Brotherhood was the forerunner of Hamas.

The Palestine Liberation Organization (PLO) was established in 1964. Although it was in name a liberation organization, its original goals emphasized social service and self-improvement, and its political activity was limited. It did engage in attacks on Israelis, however, in an effort to oust the Israelis and establish a secular state. The goal of liberating all of Palestine remained a part of the Charter of the PLO until its 1988 revision.

D. The 1967 Six-Day War and a New Influx of Refugees

Perhaps the most debilitating event in the history of the Gaza Strip came in the aftermath of the 1967 Six-Day War (June 5-10, 1967). As a result of the Arab defeat in that conflict, many more refugees poured into Gaza, and the whole of both the West Bank and the Gaza Strip became occupied by the still relatively new State of Israel. International law was very clear about the role of the occupier of territory captured in war: It could not settle its own people on the land nor could it govern in any way detrimental to the existing civilian inhabitants of the land. It was soon evident that Israel would not observe this law. Instead, Israel set up settlements, offering its own Jewish citizens opportunities to move onto the occupied lands, often at extremely advantageous prices, displacing the original Arab inhabitants. The Occupation authorities also set up their own laws or kept the emergency laws of the final British Mandate Period. By regulating the movement of Palestinians in Gaza and the West Bank, while at the same time confiscating their lands and their livelihoods, Israel created a two-tiered economic system, with Jews above and Palestinians below. A growing Palestinian population was finding its life more and more circumscribed by the growing Jewish population around it and an Israeli government determined to prevent Palestinian development.

It was after the 1967 Six-Day War that the growth of the Palestinian resistance to Occupation found its voice. Armed struggle was adopted as a plan, since the people of Gaza believed that no other method had saved them from the downward spiral of the Occupation. Although Israel never stated it publicly, it was conducting a policy of de-development, which meant that the lives of both refugees and the original inhabitants of the Gaza Strip were becoming more and more difficult.

Many of those who had previously been able to earn a living within their Palestinian society found that they were no longer able to do so. They accepted jobs at extremely low pay within Israel in order to subsist. In order to get to these jobs, they had to pass through humiliating checkpoints. They also had to get up before sunrise and often work until after dark. In order to escape this cycle of sleeplessness and exhaustion, many tried to sleep overnight in Israel. This was soon declared illegal. This was just one more humiliation that had to be borne.

Another development that took place at this time was the discovery of gas reserves off the coast of Gaza. This impacted the Palestinian fishing industry, as the best fishing is a few miles off the coast. Israel began developing reserves. The Palestinian Authority also discovered substantial gas reserves in their territorial waters in 2000. During the Israeli bombing of Gaza in January 2009, Israel confiscated the Palestinian gas fields.¹⁸

The once-lovely Gaza coastline became off-limits as well, with Israeli patrols sweeping the beaches in the morning and again at night, raking the sand to be certain that it was smooth. The ostensible reason for this was to be certain that there was no “infiltration” from the sea overnight. This was purportedly for the protection of the Israeli settlers who had moved to small settlements in Gaza. In reality, the security of these little groups of settlers (never over one percent of Gaza’s population) took precedence over the security, livelihood and pleasure of the roughly 99% of Gaza’s residents who were the indigenous Arab population of the Strip.

The difference in treatment of Jews and Palestinians was also evident in the Palestinians’ lengthy waits at the checkpoints, which included the frequent inability of commercial vehicles to pass. Most of the commercial vehicles during that time were laden with fresh citrus, mostly bound for market in the West Bank and Jordan. It was not unusual for the Israelis to hold trucks for several days at the border before “clearing” them, by which time the fruit had begun to rot on the trucks and could no longer be sold. Millions of dollars in potential Palestinian revenue was thereby denied to the citrus growers and their workers, through what appeared on the surface to be legal means. The frustration of residents of the Gaza Strip was growing, and not only among the refugees and the poor, but also among the original inhabitants, including those wealthier residents who owned sizable amounts of agricultural land.

E. The PLO, the Palestinian Authority (PA) and Hamas

It was in the context of the above situation that the PLO made its official return to the Occupied Territories. Prior to 1994, Yasser Arafat, Chairman of the PLO, lived abroad in constant fear for his life. After Israel and the PLO signed the Oslo Accords in 1993, he was allowed to return. Meanwhile, Hamas had been founded in 1987 as the political arm of the Muslim Brotherhood, and as an Islamic alternative to the secular PLO.

In the second free elections for the government of the Palestinians (known as the Palestinian Authority, or PA), which took place in January of 2006, Hamas won the majority of votes and was briefly seated. Israel and the US, however, refused to recognize the results. Thirty-three of the newly-elected officials were imprisoned, and Hamas was driven from the West Bank. From

2007 until mid-2014, Hamas was the active government in Gaza, while the minority party, Fatah, governed the West Bank. A unity government was declared in June 2014.

Insisting that they will not participate in peace talks with “terrorists,” the US and Israel have prevented the ongoing Middle East peace process from moving forward. Instead, since 2006 they have conducted negotiations only with Fatah, the original government formed upon the PLO’s return in 1994 but voted out of office by the popular vote for Hamas in 2006. There have been extensive periods during which no peace negotiations have taken place.

Many details concerning the relationship between Hamas and Fatah will be covered in other sections, so this section will conclude with an update regarding the situation in Gaza since the return of the PLO in 1994. This included harsher penalties for stone-throwing, increased arrests and administrative detentions (arrests without trial under orders that are renewable for six-month periods), torture, more curfews and closures, increased settlement building and home demolitions. During curfews and closures, Palestinians who left their homes were shot and often killed.

At the same time, Gazans experienced further restrictions on border crossings, so that jobs in Israel were inaccessible. Confiscations of property and land continued, in many cases resulting in complete dispossession. For the already-reeling economy of Gaza, these policies were devastating.

Then Israel began bringing in labor from foreign countries to replace the Palestinians who were no longer able to travel into Israel to reach their work. For a long time, the unemployment rate in the Gaza Strip hovered at over 70%.

There were further restrictions on commercial fishing and many of those fishing offshore were killed or wounded for fishing beyond the Israeli-imposed offshore distance limits. The Oslo Accords (Declaration of Principles on Interim Self-Government Arrangements) between the government of Israel and the PLO, signed September 13, 1993, allowed the Palestinians engaged in commercial fishing to go out twelve miles. Subsequently, Israel restricted that distance to three miles, enforced by Israeli gunboats, which have killed and wounded many Palestinian fishermen.

In addition, farmers seeking to farm the fertile land next to the Israeli border in Beit Hanoun and Beit Lahiya were shot at and sometimes killed and their orchards or crops were destroyed. There were also increased delays in moving to market the fruit that had once been the major cash crop of the Strip. In addition, Israeli settlers used massive amounts of water, while water rationing was the norm for the Arab population.

By 2005, when Israel removed its settlements there, the water table in Gaza had fallen dramatically, and much of the formerly fresh water was saline due to both the shallow water table and the proximity of the area to the sea. This was especially bad during winters, when storms pushed the seawater inland.

After Hamas won the 2006 Palestinian election and became the government in Gaza in 2007, Israel attacked Gaza repeatedly and destroyed much of the infrastructure, including the water treatment plant. Gazans were forced to use untreated water, which led to widespread disease. Further, destruction of Gaza’s main power plant meant fresh water could not be pumped.

Meanwhile, Israel imposed a siege on the territories, especially on Gaza, restricting imports on goods and simultaneously preventing Palestinians from traveling except to receive medical treatment. The siege on Gaza continues to this day. Hospitals and clinics often found themselves with inadequate supplies of basic medical necessities such as aspirin or bed linens. The children suffered malnutrition, for, as one Israeli politician said, they were “putting the Gazans on a diet.”

The Israeli government decided to evacuate the small settlements that had been located in the Strip and Gaza’s Palestinians hoped that their burdens would ease. But Israel launched “Operation Molten Lead” which involved continuous aerial bombardment of the entire Gaza Strip in the winter of 2008-2009. Civilian areas, hospitals, mosques, schools and other infrastructure were targeted relentlessly, leading to over 1,300 documented civilian deaths. Very little reporting of this ongoing assault appeared in the US press.

This situation leads many to wonder why the US labels Hamas as a terrorist organization while allowing Israel to target civilians with weapons purchased with American dollars. This runs counter to US law, which clearly states that US tax dollars cannot be used against civilian populations. It is one of many issues that are a part of the complex picture of the US/Israel-Palestine question.

Barbara Taft

V. WHAT IS HAMAS?

Is Hamas a viable Palestinian political party or is it, as the US and Israel say, a “terrorist” organization? Terrorist organizations work underground and attack civilians as well as military targets. Usual definitions of terrorism refer only to violent acts that are perpetrated to create terror, and therefore achieve a religious, political or ideological goal. In contrast, Hamas is a major Palestinian political party that governed Gaza from 2007 until 2014 when a unity government was formed. Hamas has protected civilians, both Palestinian and Israeli, by preventing rockets from being fired from Gaza into Israel.¹⁹ Indeed, Deputy Foreign Minister and Spokesman Ahmed Yusef stated on Al Jazeera television on September 11, 2011, that “the government [Hamas] regrets the death of all civilians.” Why, then, is Hamas on the US Department of State Terrorist List?

A. The Founding of Hamas

Hamas was founded in June 1987 by paraplegic Sheik Ahmed Yassin and by a physician, Dr. Abdel Aziz al-Rantissi. The organization was the continuation of Sheik Yassin’s twenty years of work establishing an offshoot of the Egyptian Muslim Brotherhood in Palestine. His organization was originally called Al Mujama, which was recognized by the Israeli Civil Administration in Gaza as a registered voluntary social and cultural organization. The organization spread in the West Bank also and its name was changed in 1987 to Hamas (“zeal” “Islamic Resistance Organization”²⁰) as a response to the popularity of the secular PLO. Israel considered Al Mujama a positive alternative to the PLO, which Israel at that time called “terrorist” and refused to deal with. Hamas became the most popular party in Hebron, West Bank, where its religious and anti-colonialist stance resonated with the population. The people there suffered from having radical and violent Jewish settlers in the middle of the city near Abraham’s Tomb, a very holy site for Muslims and Jews. Hamas was thus a significant player in the First Intifada, which began in December 1987.

Like the Muslim Brotherhood, Hamas at its inception called for an Islamic nation. However, Uri Avnery, former member of the Israeli Knesset and leading Israeli peace figure, has described both the Muslim Brotherhood and Hamas as “pragmatic and non-fundamentalist.” It is likely that both Hamas and the Palestinians would accept something like the statement in the Constitution of Egypt that Islam is the religion of the country and the laws of the land should not contravene the laws of Islam. The Hamas Charter, issued in 1988, called for one large Islamic Palestine in the pre-1948 borders, in which Muslims, Christians and Jews would live together in harmony. Jihad (“struggle” – most frequently used to refer to inner struggles – although the US mass media typically erroneously translate this to mean “uprising” or “holy war”) could be used to gain that state.

The Palestinian National Covenant (PLO charter), on the other hand, called for one large secular Palestine in which Muslims, Christians and Jews who had lived there before 1948 would live together in harmony. Hamas, like the PLO, had no dislike of Jews because they were Jews, since both organizations envisioned a re-established Palestine containing Jews. But both wanted to recover the land that they had lost to the Zionists who had begun settling in Palestine after the Balfour Declaration of 1917 called for a national home for the Jews in Palestine. In 1920 the Palestinians rioted and killed Jews, and after the Jews armed themselves in the early 1930s, conflict increased. By the time Israel declared itself a nation in 1948, it had driven out a great many Palestinians from what is now Israel and more were driven out subsequently.

Although Hamas, like the PLO before it, was founded by refugees to regain lost land and re-establish Palestine, both Hamas and the PLO came to realize that Israel will not disappear and both (the PLO in 1988 and Hamas in 1997) accepted the two-state solution to the conflict. In 1997, Sheikh Yassin had “no objections” to a proposal on Jerusalem carried by this author, which made it the capital of both Palestine and Israel (i.e., the two-state solution), governed by the religious leaders of the three Abrahamic religions. The proposal included the rebuilding of the Temple of King Solomon at the north end of the Temple Mount/Haram al Sharif.²¹ However, his acceptance of the proposal was not widely publicized. Hamas’ acceptance of the two-state solution was reiterated subsequently in 2004 by Khalid Mashaal, the head of Hamas outside Palestine, and in 2006 by Prime Minister Ismail Haniyeh.²² In other words, the Hamas Charter, like the Palestinian National Covenant, was superseded. We note, however, in December 2012, after the conclusion of the brutal “Operation Pillar of Defense,” an eight-day Israeli Defense Forces operation against Gaza, Hamas leaders called once again for one large state when it became evident that the Likud government in Israel was not satisfied with its recent brutality in Gaza but also wanted to annex the West Bank.

Although Hamas accepted the two-state solution and has ceased attacks against Israelis except when attacked inside Gaza, Hamas has not recognized Israel. Thus it differentiates itself from the PLO, for the PLO and Israel mutually recognized each other in the Oslo Accords. Hamas accepts that the PLO has recognized Israel but, like twenty Arab states and many Muslim states, it has not recognized Israel itself. Hamas, however, accepted the Arab Peace Initiative of 2002. That Peace Initiative states that all of the Arab nations will normalize relations, i.e., recognize Israel, when Israel withdraws from all occupied Arab land and resolves the refugee issue according to UN General Assembly Resolution 194, adopted December 11, 1948. Khaled Mashaal, head of the Hamas Political Bureau, stated: “Hamas will accept the Saudi Initiative [Arab Peace Initiative] and consult with the council of the Muslim Brotherhood.”²³ That position has changed at the present time, however, since Hamas now states it will live in peace beside Israel but will not recognize it. But if Israel makes peace and leaves the occupied territory, Hamas may well change back to its previous stance.

B. Hamas and the Two Intifadas

Like most Palestinians, Hamas participated in the First Intifada, which lasted from December 1987 until the opening of the Madrid Peace Talks in 1991. The First Intifada was the result of the harsh conditions of the Israeli occupation. According to Al Fajr newspaper, published by Hanna Siniora, by 1986, 94% of the Palestinians had personally experienced, or a close family member had experienced, the following abuses: political arrest (48%), beatings, physical abuse or threats (51%), harassment or insults at Israeli military checkpoints (56%), property or land confiscation (23%), ban on travel abroad (34%), curfew, which is house arrest under threat of death for the population of a whole area or refugee camp or village (74%), demolition or sealing of homes (17%), deportation or town arrest (16%), or fines by military courts (38%).²⁴ These abuses of the population by Israeli military rule were the pre-condition for the First Intifada.

During the First Intifada, 141 Israelis were killed even though PLO Chairman Arafat called for no killing, and 1,135 Palestinians were killed, including 236 children, mainly boys throwing rocks at Israeli soldiers.²⁵ Although the number of deaths seems stark, this First Intifada is described as having been “largely non-lethal.”

Hamas also participated in the much more lethal Second Intifada, the Al Aqsa Intifada, sparked by Ariel Sharon’s visit to the Temple Mount/Haram al Sharif during which he was overheard saying, “This is ours.”²⁶ Since that holy site is extremely important to Palestinians and all Muslims, Sharon’s remark sparked massive demonstrations during which Israel killed many demonstrators, as the Palestinians sought to protect the holy site. Subsequently, Izzadin Qassam, Hamas’ military branch, which separated from the political branch in 1992, becoming an autonomous group, began suicide bombings in 1993, which were perpetrated by other Palestinian armed branches as well. The Koran does not permit armed conflict merely over land, but only if Islam is attacked, and even then, women, children and the elderly are not to be attacked. Suicide bombers, however, dealt with that prohibition by stating, as Sheik Yassin did, that they were retaliating against the killing of Palestinian civilians and most importantly that Israel refused their offers of agreement by which civilians would be spared.

The religious component of the conflict is evident. In fact, the *New York Times*, in a video entitled, “Conflict Grows Over Temple Mount,” stated, “It may be the most contested religious site in the world.”²⁷ The Palestinians are prepared to defend the holy place with their lives, as manifest in the names of the armed branches of their political parties. Al Aqsa Martyrs’ Brigades, the armed and autonomous branch of Fatah, is named after Al Aqsa, one of two mosques on the Temple Mount/Haram al Sharif in Jerusalem. Both mosques have been attacked by radical Zionists who wanted to destroy them and rebuild their Jewish Temple there. Al Quds Brigades is the armed branch of Islamic Jihad; Al Quds, “The Holy,” is the Arabic name for Jerusalem, the third holiest place in Islam. The Hamas military branch, the Izzadin Qassam Brigades, is named for Sheik Izz al Din al Qassam, a religious reformer and originally a resister of French colonial rule in Syria. After he escaped to Haifa, he organized Palestinian tenant farmers displaced by the incoming Zionists. In 1935, his group in Haifa attacked the Zionist “colonists” as well as the British, and he chose to fight and die rather than surrender to the British police. He became the first “martyr,” a symbol of religious resistance against colonialism.

Hamas and most other Palestinians perceived the Zionists as part of colonial rule rather than as refugees or as Jews returning to their ancient homeland to practice Judaism as specified in the Torah. Thus the military actions of the Palestinian groups, including Hamas, are perceived by Muslims as a defense of the holy places in Jerusalem and Hebron. Observers have noted that radical religious Jews want to reclaim the site for Judaism and eliminate the Muslims, who have

venerated the holy places for about fifteen hundred years. However, the aforementioned proposal on Jerusalem resolves the religious aspect of the conflict to the satisfaction of leading Israelis and Palestinians, i.e., former Chief Rabbis of Israel Avraham Shapiro and Eliyahu Bakshi-Doron, as well as the late Faisal Hussein (the PLO representative in Jerusalem), and Sheik Ahmed Yassin (Hamas co-founder). Furthermore, the president of the Council of Muslim Scholars at Al Azhar University in Cairo, the leading Sunni Muslim religious institution, also had no objections.²⁸

The fatalities in the Second Intifada were much higher than those in the First Intifada: 1,100 Israelis were killed and 5,500 Palestinians; 39% of the suicide bombings were carried out by Izzadin Qassam Brigades; other groups, including Al Quds Brigades and Al Aqsa Martyrs' Brigades, carried out the remainder.²⁹ Moreover, before Hamas declared a unilateral ceasefire with Israel, at least two US citizens were killed in Izzadin Qassam Brigades' bombings simply because they happened to be in the location where a bomb was set off; however, it is equally true that at least two US citizens were killed by Israeli forces because they were in demonstrations protesting Israel's human rights abuses. Peace activist Rachel Corrie is the best known such case, since a stage play was made about the young Jewish-American girl run over by an Israeli bulldozer in 2003 as she tried to prevent demolition of a Palestinian home in Gaza. These latter incidents, however, do not prevent the US from dealing with Israel, nor should the former incidents prevent the US from dealing with Hamas.

The Second Intifada lasted from 2000 until 2005, despite PLO Chairman Arafat's and Israeli Prime Minister Sharon's agreement to the Roadmap that was proposed by the Bush administration in 2003. That agreement was marred, however, by Sharon's statement that Israel would not accept a settlement freeze. His rejection immediately sparked greater Palestinian resistance since it implied that Israel did not accept the two-state solution. Then Israel assassinated Sheikh Yassin and subsequently his second-in-command, Dr. Rantisi, both in March 2004, men who had accepted the two-state solution and the rebuilding of the Temple on the Temple Mount/ Haram al Sharif. In spite of the assassinations, Hamas observed a unilateral ceasefire with Israel.

While Sheik Yassin was alive, the political and the armed branches of Hamas both respected him. After his death, the two branches became totally separate.³⁰ The US accepts a division between political and armed branches in regard to Fatah and its armed branch, Al Aqsa Martyrs' Brigades. Fatah is welcome at the White House, yet Al Aqsa Martyrs' Brigades is on the Terrorist List. But the similar distinction between Hamas and Izzadin Qassam Brigades has not been made in the US, though Australia does make that distinction. Yet Hamas has long observed a unilateral or at various times a bilateral ceasefire with Israel and has rather successfully prevented the other parties in Gaza from attacking Israeli civilians by shooting rockets into southern Israel.

Thus, Hamas, in its actions if not in its words, has renounced violence, except when it is attacked inside Gaza. Moreover, the Hamas government in Gaza several times had distanced itself from violent acts. For example, when the Popular Resistance Committee, which included Izzadin Qassam Brigades, captured Israeli soldier Gilad Shalit in 2006, Prime Minister Haniyeh called for Shalit's release, and when Izzadin Qassam Brigades in the West Bank killed four Israeli settlers in August 31, 2010, spokesman and Deputy Foreign Minister Ahmed Yusef, representing the Hamas government in Gaza but not the Hamas Politboro, stated that the government regretted all killing of civilians. Moreover, when pressed by the interviewer on Al Jazeera about Hamas' relationship with Izzadin Qassam Brigades, Yusef distanced Hamas by saying that they were "all Palestinians."³¹ In other words, Hamas considered itself no closer to

Izzadin Qassam Brigades than to any other Palestinian organization since Izzadin Qassam Brigades is not under the control of Hamas. Hamas and Izzadin Qassam Brigades are separate entities and should be treated as such.

These questions remain unanswered by the US Department of State, and need to be asked again: Why has the US State Department not made the same distinction between Hamas and Izzadin Qassam Brigades that it makes between Fatah and Al Aqsa Martyrs' Brigades? And why does the US demand that Hamas renounce violence when Israel does not?

C. Hamas and Palestine

Hamas abstained from the first Palestinian election held in accordance with the Oslo Accords, which it did not accept. But it participated in the second, and in 2006, to everyone's surprise, including its own, won the election. The Palestinian people chose Hamas because it was not corrupt, as was Fatah, and because Hamas had excellent social programs, including schools, orphanages, hospitals, medical clinics and financial aid for the poor. Therefore, Ismail Haniyeh of Gaza was elected Prime Minister by the Parliament and Dr. Assiz Dweik of Hebron was chosen Speaker of the Parliament (Legislative Council). Within a short time, Israel arrested all the Hamas members of the Parliament in the West Bank, including Dr. Dweik, who had told a visiting European Union delegation that he wanted to be the "Gandhi of Palestine."³² With its West Bank members in prison, the government of Palestine, which was located in Ramallah, fell, since it could not muster a quorum.

The Hamas members from Gaza, however, continued to govern there under Prime Minister Haniyeh. Then the US government worked with Mohammed Dahlan, a Fatah man from Gaza and the head of security in Palestine, and fomented fighting between Fatah and Hamas. Eventually Dahlan tried to overthrow the Hamas government still functioning in Gaza³³. Hamas members in Gaza remembered that Mohammed Dahlan, during the Second Intifada, had arrested and tortured some Hamas men who were planning to attack Israel, and Hamas therefore considered Dahlan a traitor working with Israel and the US. Therefore, Hamas withstood his attempt to overthrow Prime Minister Haniyeh, including one assassination attempt in which Haniyeh's son and Ahmed Yousef were wounded. The people of Gaza, some of whom were wounded in crossfire, tried without success to end the conflict. The fighting intensified, snipers were on the roofs of many tall buildings, Dahlan's men attacked the Islamic University and Hamas then attacked Al Aqsa University (Fatah-run). Finally, Hamas seized a truckload of weapons the US was sending to Dahlan and soon won the conflict, driving Dahlan's men into either Israel or Egypt, from which most finally returned as part of the unity government (Fatah-Hamas) agreement in 2014. The cause of the Hamas/Fatah conflict was Mohammed Dahlan, who as of 2014 has been living in exile in the United Arab Emirates since around 2010 and has been accused of planning at least one coup against President Abbas.

The people of Palestine have always objected to the division between Hamas and Fatah since it split the country into two separate pieces and there were many demonstrations urging the two parties to form a unity government. The US and Israel, however, worked to thwart any such steps. The US Congress, for example, voted to cut aid to the Palestinian Authority if it unified with Hamas. And the US military general in charge of training the Palestinian police continues to teach them to arrest Hamas members since they are "terrorists." However, since, in summer of 2014, Fatah and Hamas formed a unity government of technocrats that contained no Hamas or Fatah members and that accepts the Quartet conditions, President Obama and the EU have accepted the unity government. Israel, however, has not, and launched attacks on Hamas in the West Bank and in Gaza in an attempt to destroy the unity government.

VI. HAMAS AND PEACE

A. Hamas and Peace with Israel

Hamas observed a ceasefire with Israel, unilateral or bilateral, beginning in 2004, except in response to direct attacks on Gaza. After then-Israeli Prime Minister Ariel Sharon evacuated all Israelis from Gaza by August 2005 and left it for the Palestinians, Hamas and Izzadin Qassam Brigades continued the ceasefire. But the small parties in Gaza, such as Islamic Jihad, Popular Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), and the Fatah armed wing did not. They shot Qassam rockets into southern Israel because Israel was still occupying the West Bank and East Jerusalem and was arresting or killing their members in the West Bank.

Then in June 2006, Israel invaded Gaza, allegedly to stop the rocket fire, and killed 220 people, including most of a family picnicking by the Mediterranean. In response, the armed wing of three organizations then formed the Popular Resistance Committee (PRC) and in June 2006 captured an Israeli soldier, Gilad Shalit, whom at first they sought to ransom for the 300 Palestinian women and children held prisoner in Israel. Izzadin Qassam Brigades subsequently gained control over Shalit and demanded the freeing of additional Palestinian prisoners in return for him. Although Hamas Prime Minister in Gaza Ismail Haniyeh called on Izzadin Qassam to free Shalit, it continued to hold him until Israel exchanged more than 1,000 Palestinian prisoners for him in 2011.

Partly because of Izzadin Qassam's holding Shalit, Israel began repeating, "Hamas wants to destroy Israel." Actually, the opposite was true. Israel planned "Operation Cast Lead" to destroy Hamas and end the rocketing by the smaller parties - such as Islamic Jihad, Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP) – that Hamas had attempted rather successfully to prevent. Israel, however, chose to blame Hamas for every rocket, even though Israel had not similarly blamed Fatah when it was in command in Gaza. Then Israel again attacked Hamas in Gaza in November 2008, killing six men, and claimed that it was necessary to destroy a tunnel into Israel that it said Hamas planned to use to capture Israeli soldiers. Hamas denied the charge and retaliated with rockets. Israel subsequently refused to renew the brief bilateral ceasefire, and in December commenced "Operation Cast Lead," which it had been planning for some time. Israel killed at least 773 civilians including at least 280 children under age eighteen, bombed a mosque filled with praying men, destroyed a hospital and a UN warehouse as well as over 3,000 residences and killed civilians fleeing under a white flag.

In 2009, the UN Human Rights Council sent a fact-finding mission to the Middle East, focusing on Gaza. The head of the mission, South African jurist Richard Goldstone, wrote the "Goldstone Report" (Report) to the UN,³⁴ which concluded that Israel might have been guilty of war crimes and crimes against humanity. The Report also said that Hamas might be guilty of war crimes for retaliating by shooting Grad rockets into Israel. When Israel withdrew after three weeks, leaving Hamas still in power, both Israel and Hamas instituted unilateral ceasefires that held until Israel attacked Hamas again in "Operation Pillar of Defense," an eight-day Israel Defense Forces (IDF) operation in the Hamas-controlled Gaza Strip, officially launched on November 14, 2012, with the killing of Ahmed Jabari, chief of the Gaza military wing of Hamas. According to Human Rights Watch, both sides violated the laws of war during the fighting. Gaza officials said 133 Palestinians had been killed in the conflict, of whom 79 were militants, 53 civilians and one a policeman. Six Israelis were killed. Another ceasefire was instituted at the end of that Israeli

attack, although Israel continued to wound or kill Palestinian farmers, who work their land too near the border with Israel, as well as Palestinian commercial fishers.

In “Operation Protective Edge” in the summer of 2014, Israel inflicted unprecedented damage on Gaza. The UN reports at least 2,104 Palestinians killed, including 495 children, and 10,000 others injured. The bombing displaced 460,000 people, 103,000 left homeless as 17,000 homes were destroyed or severely damaged, at least a dozen with families inside. Over 73 mosques were completely destroyed, 205 partially destroyed, and two of the three churches in Gaza were damaged. Scores of schools, hospitals, health clinics, ambulances, government ministries and cemeteries were damaged or destroyed. Israel bombed three UNRWA schools filled with Palestinians taking refuge from the bombing. The cessation or reduction of water supply affected 1.8 million people. On August 26, an indefinite cease-fire was instituted until the parties could agree on terms for a permanent cease-fire.

Hamas accepted the two-state solution in 1997 and has not used violence since 2004 except when attacked inside Gaza. In 2008 in a letter to Jimmy Carter, Khaled Mashaal stated that Hamas would accept any peace treaty ratified by the Palestinian people or by the Parliament, even if Hamas did not agree with it.³⁵ Isn't it time for the US and Israel to accept Hamas as part of the peace process?

B. Hamas and the Roadmap

Although the Roadmap,³⁶ introduced by George W. Bush and adopted in 2003 by the “Middle East Quartet” consisting of the UN, Russian Federation, US and the European Union, was meant to implement the two-state solution to the conflict (i.e., UN Security Council Resolutions 242 (11/22/1967) and 338 (10/22/1973)), in reality it has become an obstacle to peace for two reasons: first, immediately after it was agreed upon, then-Prime Minister Sharon announced that Israel could not accept a settlement freeze, an announcement that sparked a violent Palestinian reaction; and, second, the Roadmap began turning Palestinian against Palestinian, for it called upon the PA to confront “all those engaged in terror” and to dismantle “terrorist capabilities and infrastructure.” Since Hamas is defined by the US as a “terrorist” organization, the Roadmap meant that the PA must disarm Izzadin Qassam Brigades as well as Fatah’s own Al Aqsa Martyrs’ Brigades, and the smaller groups such as Islamic Jihad, Popular Front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP).

The Roadmap further meant that the PA must also dismantle the Hamas social welfare structures. In 2006, US generals, beginning with General Keith Dayton, began courses in Jordan to train the Palestinian police. The US purpose was to pursue Izzadin Qassam Brigades and other armed groups and also to arrest prominent Hamas members and remove other members and supporters from any publicly financed jobs. Therefore, Hamas-affiliated teachers, doctors, lawyers and others were fired and were only reinstated by the Palestinian courts in 2012. Moreover, the Palestinian National Security Forces (police) trained by Dayton have been accused by human rights groups of torture and suppression of political dissent in the West Bank.

C. Hamas and the United States

Why should US citizens be particularly concerned about whether Hamas is on our government’s Terrorist List? A salient reason is that US citizens are suffering persecution because of the US government’s position on Hamas. The American Civil Liberties Union (ACLU) is acting on the issue of persecution of Muslims in the US on the basis of religion, particularly on suspicion that

they are connected to “terrorists,” most often Hamas. The New York Police Department has spied on mosques and the FBI has placed in mosques informers who attempt to incite terrorist acts so that they can report them and reap financial rewards.

Especially blatant is the fact that the leaders of the Holy Land Foundation, formerly the largest Islamic charity in the US, are in solitary confinement in a high security prison with sentences ranging from fifteen years to sixty-five years. Their crime is giving charity to mosques in Palestine. The first trial ended in a hung jury, but at the second trial, an unidentified Israeli agent testified that some of the mosques were controlled by Hamas. The fact that the government agency USAID gave aid to some of the same mosques was apparently irrelevant. Since the shutting down of this charity and these incredibly harsh convictions, Muslims in the US are fearful of giving the religiously mandated charity, *zakat* (two percent of one’s unused income) because some of the money might go to mosques associated in some way with Hamas. In other words, their constitutionally guaranteed freedom of religion and freedom of association are being infringed upon by the US government’s position on Hamas and its subsequent persecution of its own citizens. The ACLU is working on the issue.

Additionally, there is persecution of anti-war and Palestinian solidarity activists. Twenty-three of them were indicted for giving “material aid to terrorists” by Assistant Attorney General Barry Jonas, who also put the “Holy Land Five” in prison on that same charge of supporting Hamas. WILPF, as well as other peace and human rights groups, needs to defend the rights of all peace groups to work with everyone for peace and justice. We all must act, and unite in our actions, in spite of the US Supreme Court’s 2010 decision in *Holder v. Humanitarian Law Project*, 561 U.S. 1, 130 S.Ct. 2705,³⁷ (holding that teaching “terrorists” about peace and international law is giving “material aid to terrorists”), and, we must act in spite of the enactment of the “National Defense Authorization Act for Fiscal Year 2012 (Public Law 112-81),”³⁸ signed into law by President Obama on January 2, 2012, which calls for indefinite military detention for those suspected of contact with terrorists.

Independent journalist Chris Hedges and others in his profession who interview “terrorists” successfully obtained an injunction against Public Law 112-81. Yet US government lawyers have indicated that the injunction will be ignored. And the brave judge in that case has said that she will then hold the government in contempt of court. However, a higher court ruled in favor of the government, and indefinite military detention still threatens US journalists and citizens. The battle for our constitutional rights is progressing and is supported by figures such as former President Jimmy Carter, who is outraged at the deterioration of human rights in the US and at the resultant restraints on peacemaking, which affect his own Carter Center’s peace work.

Ellen Rosser, Ph.D.

VII. WILPF ACTION PLAN

Our overall goal in this booklet has been the changing of US policy so that the elected government of the Palestinian people, Hamas, can take part in negotiations that will bring a lasting peace in the Palestinian-Israeli conflict. The achievement of that goal will only come about if Hamas is removed from the US Terrorist List. We believe that a step-by-step plan is needed to achieve that goal. We have formulated the following Action Plan as the most feasible means to carry out the goal.

1. Our first step is to educate ourselves as WILPF members regarding the history of Hamas and its current status, including changes in its political outlook that led to its present

status and political outlook. Having introduced the booklet at the WILPF national Triennial Congress in Detroit during the summer of 2014, the ME Committee will now encourage WILPF-US branches, groups and at-large members to undertake a study series and active discussion of the booklet's content and concepts.

2. Our second step involves outreach and dissemination of the booklet and its contents to other peace and justice, human rights and like-minded organizations for their education and support.

3. The third part of the plan includes the initiation of letters to relevant officials of the US government, since the change that we are seeking is one in US government policy (removal of Hamas from the US government's listing of organizations it considers to be terrorist groups). That change of status, we believe, is the start of a more inclusive discussion of the means to achieve peace in this long-lasting conflict. We are dedicated to the concept that one must speak with one's enemies in order to resolve conflict. We will post on the Middle East Issues Committee pages of the WILPF-US website actions, sample letters, and relevant addresses to facilitate a coordinated effort to achieve our goals. We will also launch specific call-in days to, and lobbying days at, the US Congress and Department of State, during which we will discuss the need to remove Hamas from the US Terrorist List so that all of the relevant parties will be present at the Middle East peace table.

4. In addition to the sample letters, the Middle East Committee will draft telephone statements/scripts, and will plan specific actions to call attention to this campaign for removing Hamas from the US Terrorist List. We expect to be in contact with the President, Secretaries of State and Defense, as well as members of Congress, as all are relevant policy-makers.

5. We will also make available on our website materials which will help our members and other supporters of the campaign to contact the media about this issue. This will include press releases, suggestions for editorials and letters to the editor, and talking points which can be included in local versions of such letters and articles or in any radio or television/video interviews which might result from the campaign.

6. In addition to encouraging the removal of Hamas from the Terrorist List, we will also urge an end to the persecution at home of anti-war and Palestine solidarity activists. All of the above will be undertaken with periodic updates, because we believe that the achievement of peace requires the participation of all relevant parties, and we realize that the situation on the ground is in a constant state of flux. In the end, the achievement of peace will be a benefit to all parties. This, we feel, should be the goal of all those who sincerely believe that peace in the region is preferable to a constant state of war or near-war. Once all of the parties are involved in working toward a solution, the likelihood of that outcome is greatly increased.

VIII. AREA MAP



http://upload.wikimedia.org/wikipedia/commons/1/12/ls-wb-gs-gh_v3.png

IX. AUTHORS

Ellen Rosser received her doctorate in English Literature from the University of Michigan in 1967, taught English and peace at California State University, Sacramento, from 1966-1986, and served as Chair of the University Affirmative Action Committee, Chair of United Professors of California's statewide Affirmative Action Committee, as well as serving as a union representative on the Sacramento Central Labor Council. She took early retirement in 1986 to travel to the Holy Land to work on peace between Israel and Palestine. Her unpublished memoir, "To Build the Temple..." describes how God used her as a tool to advocate non-violence and guided her to success in soliciting signatures of Israeli and Palestinian leaders on a statement of "mutual recognition, Israel and Palestine," on facilitating Israel's ratifying the Covenant on Civil and Political Rights and the Covenant on Economic, Social and Cultural Rights, on initiating contact between the Israeli peace settlers and Yasser Arafat so that their presence in Palestine was legitimized, on doing a peace walk down the Lebanese coast road when Israel was bombing it, and on working with the Chief Rabbis of Israel and Faisal Hussein, PLO head in Palestine, on the proposal on Jerusalem that all religious leaders, including Sheik Yassin of Hamas, accepted: to give Jerusalem to God to be governed by the religious leaders of the three Abrahamic religions, the capital of Israel and of Palestine but belonging to God. The proposal includes the Judeo-Christian-Islamic Council giving the Jews the right to rebuild the Temple of King Solomon at the north end of the Temple Mount/Haram al Sharif, a solution that protects the Muslim holy places while restoring the Jews' ancient holy site.

Barbara Taft first met Arab and Jewish students at college in 1962. They spoke of loving their homeland, but it was the same land. As a journalism student, this intrigued her. After graduation, she traveled around the world as a writer, but it was November 1967 when she reached the Middle East. Able to visit Israel and Lebanon, she was prevented from entering other Arab lands in the aftermath of the Six-Day War. This only increased her interest. From 1983 to 2002, she visited the region nine more times, mostly with peace delegation/study tour groups. She also obtained a second Bachelor's degree (Penology), completed a Master's Program in Criminal Justice Administration, and was awarded a Master's in Political Science/International Relations, writing her thesis on "Nationalism, Legitimacy, and Sovereignty: The Case for Palestinian Statehood." She led a Friendship Tour to the Middle East for Baptist Peace Fellowship of North America while serving on that group's board. She has also been on the Board of Women's International League for Peace and Freedom and has co-chaired that group's Middle East Committee. While in the Middle East, she has participated in group or individual interviews of more than 200 prominent Arabs and Israelis in the fields of politics, medicine, demographics, human rights and civil rights, and has visited Syria, Lebanon, Jordan, Egypt, Israel, the West Bank, Gaza, and the Golan Heights, logging about two years there.

Substantive content in this booklet is largely through August 31, 2014. Questions and comments should be sent to:

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X. NOTES

¹ Intifada, literally, a “shaking off” (as in a dog trying to shake off fleas), although often translated in the US mass media as “uprising”.

² <http://www.stdate.gov/j/ct/rls/other/des/123085.htm>.

³ The imperatives of the placement of Hamas on the Terrorist list were intensified during the Second Intifada despite the well-known fact that Palestinian civilians had been killed by the Israeli attacks, undertaken with apparent impunity.

⁴ The Arab League, founded in 1945 by Egypt, Iraq, Saudi Arabia, Syria, Transjordan (Jordan from 1946) and Yemen (North Yemen, later combined Yemen), has had changes in its membership over the years. As of 2014 there are four non-voting observer states – Eritrea, Brazil, India and Venezuela; the voting member states are Algeria, Bahrain, Comoros, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, State of Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates and Yemen.

⁵ “Arab leaders said Wednesday [March 24, 2014] they would never recognize Israel as a Jewish state, blaming it for a lack of progress in the Mideast peace process. ‘We hold Israel entirely responsible for the lack of progress in the peace process and continuing tension in the Middle East, the League communique said. “We express our absolute and decisive rejection to recognizing Israel as a Jewish state.’ The statement, which came at the end of a two-day summit in Kuwait, also rejected what the Arab League described as the continuation of Jewish settlement building in the West Bank and the ‘Judaization’ of Jerusalem and ‘attacks in its Muslim and Christian shrines and changing its demographics and geography.’” <http://www.haaretz.com/news/diplomacy-defense/1.582110>.

⁶ **“Beirut Declaration on Saudi Peace Initiative
“March 28, 2002**

“Following is an official translation of the full text of a Saudi-inspired peace plan adopted by an Arab summit in Beirut on Thursday:

“The Arab Peace Initiative

“The Council of Arab States at the Summit Level at its 14th Ordinary Session, reaffirming the resolution taken in June 1996 at the Cairo Extra-Ordinary Arab Summit that a just and comprehensive peace in the Middle East is the strategic option of the Arab countries, to be achieved in accordance with international legality, and which would require a comparable commitment on the part of the Israeli government.

“Having listened to the statement made by his royal highness Prince Abdullah bin Abdul Aziz, crown prince of the Kingdom of Saudi Arabia, in which his highness presented his initiative calling for full Israeli withdrawal from all the Arab territories occupied since June 1967, in implementation of Security Council Resolutions 242 and 338, reaffirmed by the Madrid Conference of 1991 and the land-for-peace principle, and Israel's acceptance of an independent Palestinian state with East Jerusalem as its capital, in return for the establishment of normal relations in the context of a comprehensive peace with Israel.

“Emanating from the conviction of the Arab countries that a military solution to the conflict will not achieve peace or provide security for the parties, the council:

“1. Requests Israel to reconsider its policies and declare that a just peace is its strategic option as well.

“2. Further calls upon Israel to affirm:

“I- Full Israeli withdrawal from all the territories occupied since 1967, including the Syrian Golan Heights, to the June 4, 1967 lines as well as the remaining occupied Lebanese territories in the south of Lebanon.

“II- Achievement of a just solution to the Palestinian refugee problem to be agreed upon in accordance with UN General Assembly Resolution 194.

“III- The acceptance of the establishment of a sovereign independent Palestinian state on the Palestinian territories occupied since June 4, 1967 in the West Bank and Gaza Strip, with East Jerusalem as its capital.

“3. Consequently, the Arab countries affirm the following:

“I- Consider the Arab-Israeli conflict ended, and enter into a peace agreement with Israel, and provide security for all the states of the region.

“II- Establish normal relations with Israel in the context of this comprehensive peace.

"4. Assures the rejection of all forms of Palestinian patriation which conflict with the special circumstances of the Arab host countries.

"5. Calls upon the government of Israel and all Israelis to accept this initiative in order to safeguard the prospects for peace and stop the further shedding of blood, enabling the Arab countries and Israel to live in peace and good neighbourliness and provide future generations with security, stability and prosperity.

"6. Invites the international community and all countries and organisations to support this initiative.

"7. Requests the chairman of the summit to form a special committee composed of some of its concerned member states and the secretary general of the League of Arab States to pursue the necessary contacts to gain support for this initiative at all levels, particularly from the United Nations, the Security Council, the United States of America, the Russian Federation, the Muslim states and the European Union.

"Close"

Source: <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/beirut%20declaration%20on%20saudi%20peace%20initiative%20-%2028-.aspx>

7 Source: <http://www.stdate.gov/j/ct/rls/other/des/123085.htm>.

8 WILPF-US website, Middle East Issues Committee page at <http://wilpfus.org/our-work/middle-east>.

9 Some of the data for this Section III has been taken from *The Gaza Strip: The Political Economy of De-Development*, by Sara Roy, Institute for Palestine Studies, second edition, 2004. Other information in this Section is from interviews conducted by this writer [Barbara J. Taft] between 1983 and 1991 in Gaza and the West Bank with political, social and medical leadership there, as well as with private citizens.

10 Gaza is also sometimes used by others to refer to Gaza City, which is the main municipality in the Gaza Strip, as well as the most populous city in Palestine.

11 Although many UN Member States had individually already recognized Palestinian as a state much earlier, the UN General Assembly overwhelmingly officially recognized it as such in November 2012.

12 www.independent.co.uk/news/world/middle-east/tales-from-gaza-what-is-life--really-like-in-the-worlds-largest-outdoor-prison-8567611.html. (April 13, 2013)

13 The Sykes-Picot "secret" agreement (May 1916), between Great Britain and France, with the assent of Russia, provided for the dismemberment of the Ottoman Empire. See, for instance, http://news.bbc.co.uk/2/hi/in_depth/middle_east/2001/israel_and_the_palestinians/key_documents/1681362.stm as a beginning reference.

14 Source: <http://www.mfa.gov.il/mfa/foreignpolicy/peace/guide/pages/the%20mandate%20for%20palestine.aspx>, for the text of the "Mandate for Palestine" of July 24, 1922.

15 Source: <http://www.jewishvirtuallibrary.org/jsource/History/balfour.html>.

16 Source: http://www.historylearningsite.co.uk/palestine_1918_to_1948.htm.

17 Source: United States Holocaust Museum, <http://www.ushmm.org/wlc/en/article.php?ModuleId=10005468>.

18 See, <http://globalresearch.ca/war-and-natural-gas-the-israeli-invasion-and-gaza-s-offshore-gas-fields/11680>.

19 J.J. Goldberg, "Spooks Warn Pols: Don't Strike Hamas Over Kidnap." *The Jewish Daily Forward*. "Hamas in Gaza fired at least 16 rockets into Israeli territory this morning. (June 30, 2014. On June 30, 2014, Israel bombed Hamas installations in Gaza, killing one member of the Hamas armed branch.) It was the first time since Israel's Operation Pillar of Defense in 2012, which established an informal cease-fire that Hamas itself was responsible for rocket fire, as opposed to radical groups operating outside Hamas control." <http://blogs.forward.com/jj-goldberg/201077/spooks-warn-pols-dont-strike-hamas-over-kidnap/#ixzz37rl6GHLk>.

20 "Hamas," Reut Institute, <http://reut-institute.org>.

21 Ellen Rosser, interview with Sheik Yassin in Gaza, November 1997. The complete text of the Jerusalem proposal is available at "The City of God," www.ellenrosser.wordpress.com.

22 "Hamas and the Arab Peace Initiative," Reut Institute, <http://reut-institute.org/Publication.aspx?PublicationId=401>.

23 *Asharq Al-awasat*, February 8, 2006.

24 Percentages rounded to whole numbers. "Things You or an Immediate Member of Your Family Have Experienced," *Al Fajr Newspaper*, Jerusalem, September 8, 1986.

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- 25 "Fatalities in the First Intifada," B'tselem, www.btselem.org/statistics/first_intifada_tables.
- 26 Information given to Ellen Rosser by Hassan al Absi, a member of Tirawi's Palestinian intelligence agency, October 2000.
- 27 *New York Times*, September 21, 2013.
- 28 Meetings from 1992-2010 by Ellen Rosser with those figures and with the representative of the Chief Rabbis, Zalman Loessner.
- 29 "Fatalities Before Operation Cast Lead," B'tselem, www.btselem.org/statistics/fatalities/before-cast-lead/by-date-of-event.
- 30 " Hamas," Reut Institute, <http://reut-institute.org/Publication.aspx?PublicationId=371>. "The military wing is not formally subordinated to any other wing and thus enjoys operational freedom."
- 31 Seen and noted by Ellen Rosser on Al Jazeera television on September 1, 2010.
- 32 Stated by Dr. Assiz Dweik in a July 2006 meeting in Ramallah with Ellen Rosser about the Jerusalem proposal.
- 33 Reported in *Vanity Fair*, April 2008, <http://www.vanityfair.com/politics/features/2008/04/gaza200804>.
- 34 Source: <http://www2.ohchr.org/english/bodies/hrcouncil/docs/12session/A-HRC-12-48.pdf>.
- 35 Trip Report by Former U.S. President Jimmy Carter to Israel, Palestine, Egypt, Syria, Saudi Arabia, and Jordan: April 13-22, 2008, http://cartercenter.org/news/trip_reports/middle_east_2008.html.
- 36 Source: http://knesset.gov.il/process/docs/roadmap_eng.htm.
- 37 Source: <http://www.supremecourt.gov/opinions/09pdf/08-1498.pdf>.
- 38 125 Stat. 1298, Public Law 112-81.

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