PRIO

Independent • International • Interdisciplinary

Hamas's Concept of a Long-term Ceasefire: A Viable Alternative to Full Peace?

Dag Tuastad
Peace Research Institute Oslo (PRIO)

Hamas's Concept of a Long-term Ceasefire:

A Viable Alternative to Full Peace?

Dag Tuastad

Peace Research Institute Oslo (PRIO)

PRIO

About the author: Dag Tuastad is a PhD in anthropology and is an associate professor at Middle Eastern Studies at the University of Oslo and a senior researcher at the Peace Research Institute Oslo (PRIO). His current research is on Palestinian politics, on the prospects for political reforms within PLO, the Palestine Liberation Organization. He can be reached at *dagtua@prio.no*.

Table of contents

Acknowledgements

Executive Summary

Hudna is the offer of Hamas, the Palestinian Islamic Resistance Movement, of an extended ceasefire with Israel. There are two interpretations of this offer. The first is that the *hudna* is a tactic in order to have all of Palestine conquered. The second is that it is an Islamic method for conflict resolution which can lead to a permanent peace. In other words, the *hudna* is either a tactical ploy, or a serious offer for an Islamic peace process.

This study is based on interviews with Hamas leaders in Syria, Lebanon and Gaza, as well as with representatives from other Palestinian groups thought to have an impact on the policy of Hamas. The study finds that the *hudna* is tactical rather than strategic in the sense that it is thought of as a means to gain an objective, rather than being a goal in itself. Nevertheless, one should not underestimate the significance of the *hudna*. A *hudna* has the potential of being something more than simply a tool to reach a goal. In Arab and Islamic tradition, a *hudna* constitutes a phase. First the ceasefire, *hudna*, then the *sulh*, reconciliation. The most common outcome of the *hudna* phase is a final peace agreement.

The possible omission of the right of return as a condition for a *hudna* is mainly what distinguishes the *hudna* from a final peace deal. A *hudna* is a partial solution and a temporary agreement. It is not a final peace agreement. As long as the refugee issue remains unsolved, Hamas cannot recognise Israel, as Hamas leaders do not regard themselves as having the legitimacy to decide on this issue on behalf of the refugees. The *hudna*, which does not imply recognition, means that Hamas can postpone the refugee issue. The whole point of the *hudna* is that it opens for agreements to be made where it is possible to agree, while at the same time the refugee issue, which is outside that window of opportunities, may be postponed.

Hamas's ideas of a *hudna* are not very complicated. They basically comprise a suggestion of having a Palestinian state in exchange for an extended ceasefire. After the ceasefire, if there is trust and people are happy, then there will be peace. If not, there will not be peace. According to Hamas, this would be up to the next generation to decide.

1. Introduction

"The land of Palestine is an Islamic Waqf endowed to all Muslim generations until the day of resurrection. It is not right to give up it or any part of it." So goes the Hamas charter, first published in 1988.[1]

But other voices inside Hamas sound different: "Let us be frank. We cannot destroy Israel. The practical solution for us is to have a state. When we build a Palestinian state, we will not need these militias; all the needs for attack will stop. Everything will change into a civil life" (Gunning 2004:250). This is what the Hamas leader Ismail Abu-Shanab said in Gaza in 2003.

Apparently there is an ambivalence in an absolutist and a realist approach towards Israel inside Hamas. Hence, in 2006, the current Hamas leader, Khaled Mishal, wrote: "We shall never recognise the legitimacy of a Zionist state created on our soil in order to atone for somebody else's sins or solve somebody else's problem"(2006). But he continued with an invitation: "If you are willing to accept the principle of a long-time truce we are willing to negotiate its terms". What Mishal referred to as a long-time truce, *hudna,* has over the past two decades been repeatedly suggested by Hamas.

In this report the aim is to analyse what Hamas mean by the *hudna* and how serious they are about this offer. The primary sources to illuminate this are interviews with Hamas leaders in Gaza, Lebanon and Syria conducted for the report. These views are presented in the second part of the report. The first part deals with the meaning of *hudna* and how it is situated in Islamic tradition. The third part deals with opposition to a *hudna* in Palestinian politics. In the final part we discuss how this opposition may accentuate internal divisions in Hamas.

1.1 Meaning

What does *hudna* actually mean? The Arabic word *hudna* is an abstract noun that means "calm" and "peace". The process of entering into a peace agreement with an enemy is called *muhadana*. The instrument for obtaining such *muhadana* is the *hudna* (Khadduri 2001). The nuances in the meanings of *hudna* originate from the root that *hudna* derives from, *ha-da-na*, which has two different meanings. The first meaning is "to grow quiet, to calm down, to quiet down". The second meaning from the third form of the word, *haa-da-na*, means "to make peace" (Wehr 1976:1023).

---

[1] Hamas charter 3:11, (Mishal and Sela 2000 180-181).

That there are two different meanings of *hudna* is significant, as Hamas themselves have begun to refer to two kinds of ceasefire. On the one hand, *ha-da-na*, the process of quieting down, calming down, in the meaning of a short temporary ceasefire, a calming down, has been referred to as *tahdi'ah*[2]. A *tahdi'ah* refers simply to a suspension of acts of violence by military forces, and, being different from a *hudna*, *tahdi'ah* is not a word that has religious connotations. On the other hand, in the current usage by Hamas, *hudna* has come to mean more than a simple ceasefire. A *hudna*, referring to the meaning *haa-da-na*, making peace, implies an agreement, which has other elements in addition to the cessation of violence, and which means some form of recognition of a counterpart without implying the party's legitimacy (Begner 2009:5).

This meaning of *hudna* has Islamic connotations because of the example of making *hudna* by Prophet Muhammad, referred to in the Quran (XLVIII, 27).

1.2 The hudna of Hudaybiya, the precedent for Hamas's concept of hudna

In this section the *hudna* of Hudaybiya, the historic treaty between Prophet Muhammad and the non-Muslim Meccans from 628, is discussed in some detail. The reason for going into detail is that the *hudna* of Hudaybiya is such an important event in Islamic history, and is so well known by Muslims in the Middle East that it is the precedent for any Muslim group referring to a *hudna*. Hence, various scholarly positions on the *hudna* of Hudaybiya are relevant for Hamas's *hudna* proposal, as they represent the theological discourse on the topic.

To start with one of the sceptics of the seriousness of the treaty of 628, Bernhard Lewis, who claims that the treaty came about because Muhammad, based in exile in Medina, sensed that a planned attack on Mecca was premature (1950:45). The planned attack was therefore converted into a peaceful pilgrimage following negotiations at the place called Hudaybiya, close to Mecca. Two years later, in 630, the Muslims had consolidated their military power considerably, having made new conquests as well as new alliances, while the Meccans had not done so well. The military balance was then clearly on the Muslims' side. According to Lewis, Muhammad now waited for an opportunity, a *casus belli*, to take Mecca, which was

---

[2] Hamas had by 2004 declared unilateral ceasefires nine times (Milton-Edwards & Crooke 2004:301). In 2003 in the context of the Road Map initiative, Egypt mediated a ceasefire between Israeli and Palestinian factions. This ceasefire was referred to as a *hudna* by Fatah, but Hamas officially refrained from labelling the agreement thus (Chernitsky 2003). Hamas has later differentiated between *tahdi'ahs*, as short-time, unilateral declarations of ceasefires, and *hudna*.

found when a Meccan killed a Muslim, although it was a private rather than a Muslim–Meccan rift. Muhammad had the right to abrogate the treaty, strictly technically interpreted, according to Daniel Pipes (1999), but, on the other hand, this showed that the treaty did not have a true political value, as the Muslims were ready to exploit any minor incident to break it. The precedent serves as justification for Muslims breaking agreements with non-Muslims, Pipes claims (ibid).

Other scholars do not concur with Lewis and Pipes's version of the events that made the Muslims abrogate the treaty. According to Rodinson, in November 629 the Banu Bakr tribe allied with Meccans unprovoked attacked the Banu Khuza'ah tribe, allied with the Muslims, to settle an old score, killing one in the attack. When the Banu Khuza'ah took refuge in two friendly houses on the holy ground of Mecca, they were attacked even there, and 20 people of the Muslims allies were slain (Rodinson 1971:257). Watt notes that the Qurayshites of Mecca subsequently refrained from paying blood money for the victims, which made the options one of war or submission as there was no doubt that the treaty had been broken (Watt 1961:202).

Thus, the violence causing the abrogation of the treaty was not a private squabble in a market; it was a mass killing caused by a collective tribal attack of a tribe that was a party to the Treaty of Hudaybiya (ibid, Bodly 1946:288, Abu Sway 2006). According to Rodinson, a motivation for Muhammad to make the *hudna* had been recognition; the Qurayshites of Mecca had negotiated with Muhammad and therefore recognised his authority (1971: 252).

And because Muhammad's political organization of Medina had made the Muslims there both prosperous and respected, and more and more Meccans were attracted to sharing the power and wealth of the Medinians, the ideological obstacles of the Meccans were easily overcome. The peaceful takeover of Mecca in 630 thus appeared to be driven by events and developments as much as the result of a *casus belli* tactic.

Again, this historical precedent is relevant when Hamas's concept of *hudna* is analysed. As there are basically two interpretations of the Treaty of Hudaybiya between Muhammad and the Meccans, there are basically also two interpretations of Hamas's offer of a *hudna*. The first is that it is a tactic in order to conquer all of Palestine. The parallel to the Treaty of Hudaybiya of Muhammad is – it *was* a tactic – that he did after all conquer Mecca. The second interpretation of Hamas's offer is that it is an Islamic method for conflict resolution which can lead to a permanent peace. The parallel to the Hudaybiya treaty is that it was indeed an attempt to solve the conflict peacefully – it was not the Muslims who violated the

hudna –and the takeover was peaceful and reportedly wanted by most Meccans (Rodinson 1971, Abu Sway 2006).

Put simply then, the question is whether the *hudna* is either a tactical ploy or a serious offer of an Islamic peace process. To explore this, three questions must be clarified: what is the purpose of the *hudna*, how binding is it, and what are the conditions?

1.3 Purpose, validity and Arab tradition

One who has questioned Hamas's purpose of a *hudna* is the Professor of Islamic History at the Hebrew University, Moshe Sharon:

> *Hudna* is concluded only between the Moslems and non-Moslems, when the Muslim side feels itself, at a certain point, too weak to carry on the jihad. The aim of the *hudna* – cessation of hostilities for a limited period – is to gain time in order to strengthen the Muslim military capability, and restart the war from a better condition. (Sharon 2007:2)

This interpretation may be apt for the *tahdi'ah*, the temporary ceasefire, which refers simply to a suspension of acts of violence by military forces. Hamas, too, acknowledges military tactics behind their unilateral declarations of *tahdi'ahs*: "The *tahdi'ah* is a tactic in conflict management and a phase in the framework of the resistance…. We are speaking of a tactical *tahdi'ah*," Hamas leader Khaled Mishal said in 2008 (Halevy 2008). Musa Abu Marzouq from the politburo conferred that "the *tahdi'ah* is not a strategy of a goal itself, but a tactical step in this conflict" (ibid).

But if the purpose of the *tahdi'ah* is calm to attain military consolidation, this is not how people within Hamas claim that the *hudna* should be understood. The aim of a *hudna* is, according to Dr. Ahmed Yousef, to resolve the conflict. Dr. Yousef, the Hamas leader who has commented most comprehensively on the matter, has written: "The *hudna* extends beyond the Western concept of a ceasefire and obliges the parties to use the period to seek a permanent, non-violent resolution to their differences…. A *hudna* affords the opportunity to humanise one's opponents and understand their position with the goal of resolving the intertribal and international dispute" (Yousef 2006, Yousef 2006b).

That Ahmed Yousef equates intertribal and international dispute is telling. Islamic tradition has largely merged with Arab legal tradition in resolving tribal disputes, a legal system functioning even today in tribal areas and areas under nominal control by weak states in the

Middle East (see Weir 2007). This is relevant for the question of how legally binding a *hudna* is, as the reference of the *hudna* is Islamic jurisprudence, not international law.

On the binding status of a *hudna*, Moshe Sharon at Hebrew University claims: "The Islamic side can abolish the *hudna* at will even before the time of expiry, if it feels strong enough to resume the war" (Sharon 2007:2). This opinion is not supported by the standard reference work in the field of Islamic studies, *Encyclopaedia of Islam*:

> "*Hudna* in Islamic law is thus equivalent to "international treaty" in modern terminology. Its object is to suspend the legal effects of hostilities and to provide the prerequisite conditions for peace between Muslims and non-Muslims, without the latter's territory becoming part of the *dar al-Islam*. The Quran provided for the Muslims not only the possibility of entering into a peace agreement with the enemy, but also the obligation to observe the terms of the agreement to the end of its specified period" (Khadduri 2001).

Similarly, Ahmed Yousef from Hamas writes that a *hudna* is "recognised in Islamic jurisprudence as a binding and legitimate contract" (Yousef 2006). Yousef quotes the Quran to support his position: "And be true to your bond with God whenever you bind yourselves by a pledge, and do not break your oaths after having confirmed them and having called upon God to be witness to your good faith" (Quran 16:91).

Dr Yousef adheres to what in fact is the prevalent position in Islamic jurisprudence: that the *hudna* is legally binding. This is, however, a moral binding. There is no Islamic institution that may sanction the party violating the treaty. Nevertheless, this does not mean that the *hudna* is theoretical. It has for centuries been part of a syncretised legal tradition in the Middle East.

Thus, when Ahmed Yousef from Hamas refers to the *hudna* in intertribal dispute it implies that the *hudna* is situated as much in Arabic traditional mechanisms of conflict resolution as in Islamic doctrine. The Treaty of Hudaybiya was after all done in accordance with principles of tribal policy. The phase of *hudna* in traditional Bedouin law is related to achieving a lasting peace, a *sulh*. *Hudna* as an instrument to achieve *sulh* is a mechanism that is still the dominant form in solving violent conflicts in large parts of the Middle East (Irani and Funk1998). In family disputes or tribal disputes, *hudna* is a prerequisite for a *sulh* – reconciliation – process to take place. *Hudna* implies an initial consent by offender and victim, and to agree to a *hudna* means to agree not to retaliate until a final peace can be established without further bloodshed. A *hudna* is considered "an act of humility, demonstrating the willingness of all

parties to reconstruct a relationship without the threat of violence" (Gellmann and Vuinovich 2008: 137). In tribal disputes, the *sulh* process was crucial as tribes realised the benefits of living in peace rather than endless cycles of vengeance. When a ceasefire was agreed, this would be a time tribes used to take stock of their losses. Compensation would normally be part of the *sulh* agreement, with the party suffering less compensating the party suffering more. With the *sulh* the conflict between two groups end, the parties in conflict "pledge to forget everything that happened and initiate new and friendly relations" (Irani and Frank 1998). In Islamic law a *sulh* is an agreement to suspend fighting and establish peace for a specific period of time. The agreement is a legally binding both at individual and community levels (Khadduri 2001b). The Treaty of Hudaybiya was originally referred to as a *sulh* (Abu Sway 2006: 2). Crucially, the purpose of the *hudna* is to have *sulh*.

For Ahmed Yousef of Hamas, the *hudna* implies that an Islamic way of conflict resolution is transferred from intertribal conflicts to international relations. A *hudna*, as referred to in the Encyclopaedia of Islam (Khadduri 2001), would have the same legal status as an international treaty.

However, the litmus test of the seriousness of Hamas's *hudna* offer is the preconditions that come with it. If the *hudna* is an opening for a partial and practical peace, the terms for the treaty must be tangible for both parties rather than absolute for only the Muslim side.

1.4 Conditions

The *hudna* has been a part of Hamas's thinking since the movement's founding. In a secret meeting in 1988 between Mahmod Zahar, a founder of Hamas and the man today considered the strongman in Gaza, and Israeli leader Shimon Peres, Zahar presented an outline of a *hudna* as an Islamic solution to the Israel–Palestinian conflict. Israel rejected the proposal and the suggestion that the details of the *hudna* should be negotiated in a covert process[3] (Milton-Edwards & Crooke 2004:299).

In 1994, the first leader of Hamas in Gaza, Sheikh Ahmed Yassin, suggested a *hudna* in conversations with Israeli intelligence officers from a prison cell in Israel. The conditions were evacuation of the settlements, release of prisoners, and withdrawal to the 1967 borders (Tamimi 2007:102). Again, in 1997, a ceasefire for up to 30 years, based on an Israeli–

---

[3] Alastair Crooke, the co-author of the article, worked as the UN special envoy to Palestine.

Palestinian mutual acceptance of a Palestinian state within the 1967 borders, was conveyed to Israel via King Hussein of Jordan. The proposal reached Benjamin Netanyahu, then Prime Minister of Israel, only after the unsuccessful Israeli assassination attempt in Jordan on Hamas leader Khaled Mishal, and was never responded to (Halevey 2008: 43-44). The offer of a long-term truce has been repeated during the 2000s (Plotkin 2002, AP 2008). "We have offered a truce if Israel withdraws to the 1967 borders, a truce of 10 years as a proof of recognition", Hamas leader Khaled Mashaal said in Damascus in 2008 (AP 2008).

The most explicit outline of the basic conditions for a *hudna* is found in a memorandum sent to European diplomats by Hamas in 1999. Hamas declared their willingness to cease all hostilities in exchange for the following concessions from Israel (Tamimi 2007:251).

1. The withdrawal of Israeli occupation troops from the West Bank and the Gaza Strip;
2. The evacuation of all Jewish settlements illegally erected and populated by Jewish immigrants on Palestinian lands seized by force in both the West Bank and Gaza;
3. The release of all Palestinian prisoners in Israeli detention;
4. The recognition of the right of the Palestinian people to self-determination.

These are the basic conditions. Hamas has not provided more details on the conditions. To ascertain details for this report, Hamas leaders have been interviewed in Syria, Lebanon and Gaza.[4]

---

[4] These are the most significant regional contexts because Gaza is where Hamas was founded and the first territory over which Hamas as a branch of the Muslim Brotherhood had control. Syria is where the leadership of Hamas is based, as well as where the major Palestinian rejectionist groups, liable to be critical of the *hudna*, are based. Lebanon is where the situation for Palestinian refugees is most volatile and where opposition to the *hudna* could be expected to be strongest.

2 Positions

2.2 Hamas in Gaza

To learn how details about the *hudna* are regarded by Hamas in Gaza, PRIO interviewed members of the *shura,* the politburo, the military branch and the Palestinian Legislative Council in Gaza[5]. In addition, two seminars were organised in Gaza by the Islamist think tank House of Wisdom, which is close to Hamas. Eighteen Hamas-affiliated persons participated in the seminar[6], and they provided written statements on specific questions about the *hudna* after the seminars.

The questions asked the Hamas leaders were, first, on the refugees: is the refugee issue a precondition to have a *hudna*, or does the fact that the *hudna* is a *partial* solution imply that the refugee issue could be postponed?

Second, Hamas leaders were asked to elaborate on details concerning the conditions for the *hudna*. On the withdrawal of Israel from the occupied territories, does a de facto evacuation of these have to take place before a *hudna*, and, also, if it could be regarded as in the interests of the Palestinians, would Hamas consider a land swap within the 1967 land?

Finally, the Hamas leaders were asked about the purpose and the time frame for the *hudna*. Was the 10-year period a strict limit, or was the main issue the principle of having a long-term ceasefire which, if beneficial, could be extended?

2.2.1 Refugees

The issue of refugees may be understood as the test of how serious people are about the *hudna*. If one regards implementation of return as a condition for the *hudna*, this is in fact a way to oppose it; what more is there to be asked for than a state and return? If the *hudna*, on the other hand, is taken seriously as a *partial* solution, this likely implies a postponement of the refugee issue and a state within the '67 borders. The intention of interviewing Hamas members on refugees was therefore also a test of how serious they were about the *hudna*.

---

[5] The interviewer in Gaza was Mahmod al-Mahmoud, a member of trustees at the House of Wisdom.

[6] The participants at the seminar were as follows: Wasem Zah., Hatem Mah., Gazzi Hamad, Ash. Shawwa, Ali Jad, Ahmed Asm., Khalil Ham., Riyad Bit., Momen Abdelwaheid, Abu Noor Abed, Anwar Attah, Sami Ast., Moh. Absi, Ihab Guss., Salamah Marouf, Moh. Kahlot, Yousri Ghool, Wasem Zah., Noor T., Hatem Mah. The names are written as provided by the participants; some did not want their full name quoted.

"We have to differentiate between *hudna* and settling, as *hudna* doesn't include recognition," said Ibrahim from the military branch. Ibrahim is a leader within the intelligence service of Hamas's armed wing and did not want his real name revealed. "What is important is admitting this right," said Muhammad Shama'a, from the *shura* of Hamas, but added, "the implementation could take many years after that." Yehia Mousa, a PLC member, said: "There is no problem if there is flexibility in scheduling the return of the refugees."

Main political bodies of Hamas in Gaza

The *shura* (council or parliament) and the politburo are considered the main political bodies of Hamas. The *shura* is formally the highest political authority of Hamas. The exact numbers and names of the members of the shura are not publicly known. What is known is that the members of the shura are elected from different constitutive circles. The military branch of Hamas and the prisons are separate circles. Most circles, however, are regionally based. Each regional leadership is composed of subunits called *usras*[1] (cells). The cells elect the regional leadership and the representatives for the national *shura* (Gunning 2008:98-99). The last election for the national shura was held in the autumn of 2009.

The de-facto government of Hamas is the politburo or the executive committee. The politburo is based in Damascus but has members from all regions.

In addition, after the participation of Hamas in the national Palestinian elections in 2006, Hamas won a majority of seats in the Palestinian Legislative Council, the highest authority of the national Palestinian Authority according to Palestinian Basic Law.

 "The solution for the refugees can take many ways", stated Ghazi Hamed, a former spokesman of Hamas and editor of the Hamas paper *ar-Risala*. It could not be solved except as part of an integrated national project, stressed Hamed, referring to the need for legitimacy on the refugee question. Crucially, Israel has to recognise the *right* of return; "If Israel recognises this right, then it's possible to reach a solution", Mr Hamed said.

Notably, the statement of the brainstorming by Hamas members and affiliates read: "It is possible to delay this [the refugee] case throughout the truce period with developing the refugees' living conditions by compensating them for the previous years and the coming ones. The principle here is the recognition, and the implementation could be delayed with halting the refugees' suffering."

Finally, PLC member and politburo member Salah Bardaweel, a Professor of Arab Literature who lives in the refugee camp Khan Younis south in Gaza, said: "The return of the refugees

could be done gradually, but it won't be conceded." Asked in 2007 on the purpose of the *hudna*, Bardaweel said: "The only solution is to have two states, without forcing anybody to recognise the other, only to have peace and then leave the issue for the next generation.[7]" This implies postponement of the refugee issue.

Clearly, the interviewed Hamas leaders stressed the importance of having an acceptance for the principle of the *right*. It is notable that the position of most of the Hamas people interviewed did not differ substantially from that of the PLO during the Camp David negotiations with Israeli in 2000, where also the Palestinian delegation members talked of the *right* of return, not of return itself. The Israelis were asked to recognise the right of return in principle, and if so, Arafat was reportedly willing to be flexible on implementation of the right (Hovdenak 2009:43).

This means that a considerable share of Hamas people do understand the *hudna* as implying that the refugee issue could be postponed if a *hudna* was agreed upon under the current circumstances. This does not mean that there is a momentum within Hamas in Gaza towards considering abandoning the right of return. Nor does it mean that the issue is not controversial within Hamas in Gaza. But, clearly, there is an idea rooted among at least a part of the Hamas leadership at the intermediate level in Gaza that it is not realistic to have return within the foreseeable future. And as long as there is no progress on the return question, this should not block Palestinians from struggling to have improvements on other fronts. Thus, the genuine meaning of the *hudna* as temporary and partial resonates well among moderate Hamas members in Gaza. Their position reflects a belief in gradual solutions rather than in total ones.

2.2.2 On the land swap issue and the return to 1967 borders

In negotiations at Camp David in 2000, the Palestinians agreed to have part of the occupied West Bank exchanged for land elsewhere in Israel, as long as it was of the same quality and quantity as the land conceded (Landau and Eldar 2004). A huge belt of settlements within the Israeli-annexed East Jerusalem, occupied in 1967, could thus possibly be preserved within Israel. In May 2010 Mahmod Abbas was reportedly willing to accept a larger land swap deal with Israel than in any previous land swap negotiation (Haaretz 2010). A condition for Hamas to propose a *hudna* is that Israel withdraw from the lands it occupied in June 1967. As long as

---

[7] Interview with Are Hovdenak, Gaza 18.3. 2007.

the *hudna* is partial and temporary, could there be an opening for Hamas taking positions similar to those of Abbas, including discussing possible land swaps?

Asked whether a de-facto evacuation of settlements had to be in place before the *hudna*, or whether the withdrawal could be implemented after the *hudna*, Salah Bardaweel (PLC, politburo) said: "The solution is to clean the West Bank and Jerusalem from all the settlers before getting into any *hudna*." Muhammad Shama (*shura*) conferred: "International law doesn't allow the occupying country to do any changes on the occupied land, therefore the settlements much be evacuated, and the settlers must return to where they came from, and this applies for the West Bank and East Jerusalem."

However, according to Ibrahim (military), "the issue can be discussed by giving a time framework for removing the settlement gradually; this framework won't be for more than one or two years."

Yehia Mousa (PLC) went farther: "Israel has to withdraw from the lands occupied before 1967, and this thing has to be agreed on or brought up before signing the truce with the enemy." But, notably, Mousa added that Hamas "don't accept *at this point* any exchange of land." This implies an opening for land swaps in negotiations in which Hamas take part.

At the seminar on the *hudna* the Hamas-affiliated participants also opened for a land swap. Their statement from the seminar read: "All the settlements within the borders of the Palestinian state prior to 1967 should be evacuated, like what happened in Gaza, including East Jerusalem. This is a prior condition to the truce, *with the possibility of lands exchange within the historical Palestine*, not in other countries."

To sum up the question of withdrawal to the 1967 borders, the lack of a unison position is significant. At least some of the Hamas-interviewees in Gaza open for land swaps. This is no surprise; as long as one is willing to make a compromise on historical Palestine, why should the 1967 ceasefire borders be taboo? Clearly, inside Hamas there are those who are willing to do cost–benefit calculations on land. Thus, on this point too there are Hamas people who hold positions that are de facto not inconsistent with those held by PLO negotiators who take part in negotiations Hamas so markedly oppose.

The reason for Hamas's public opposition to anything but return to the 1967 borders might then be directed more against the Fatah-dominated PLO having suggested and been involved in negotiations about land swap, than towards the issue itself. For Hamas the issue of

legitimacy is frequently referred to (Rabbani 2008b: 78), and for Hamas, Fatah thoroughly lack Palestinian legitimacy. When Fatah discuss land swap with Israel, the fact that *they* discuss it increases opposition to it inside Hamas. Hence, the potential for a compromise on the land and border issue is not something that is currently frontloaded by Hamas.

2.2.3 On the time frame of the *hudna*

With regard to the time frame of the *hudna*, Gunning has observed that several Hamas leaders think that the period of peaceful coexistence could socialise the next generation into acceptance of the status quo, allowing them to turn a permanent ceasefire into peace (Gunning 2004:250). In 2004 the West Bank leader of Hamas, Hassan Yussef, said, "We must negotiate with Israel" and added that as long as a *hudna* was agreed upon, *it could be extended indefinitely* (Atran 2004). This is notable, as the *hudna* made by Muhammad at Hudaybiya was for a 10-year period. Significantly, 10 years is not an important reference among Hamas members in Gaza interviewed for this study either, compared with the principle of having an extended period of calm, then letting the next generation decide – rather than making binding decisions for them.

"The truce is a principle and an issue, and the time period is something procedural, and there is no problem in a longer period depending on the situation," Muhammad Shama'a (*shura*) said. "The 10-year period is acceptable", said Ibrahim (military branch) and added that a period longer than 10 years could also be discussed.

"Political flexibility is not related or assigned to a specific time period, but the flexibility is related to the general interest of the Palestinian people, and the situation," said Yehia Mousa (PLC). "The time period could be more or it could be less than 10 years", said Salah Bardaweel (PLC and politburo); "it depends on the mechanisms related to how the truce is implemented".

Notably, in an interview in 2007 commenting on the goals of an extended ceasefire, Bardaweel said: "We believe in negotiations"[8]. He added that the important point of an extended ceasefire was to let the next generation decide: "Maybe the next generation will recognise the other, maybe a confederation, maybe one state. As a reasonable solution we propose a long-term *hudna*. It will be peaceful and will convince all parties to stop all military

---

[8] Interview with Are Hovdenak, Gaza, 18.3. 2007

activities – if the 1967 borders are accepted. It is a practical solution, in compliance with international law. It would be an arrangement like Taiwan and China."

In 2007, too, Mushir al-Masri, the youngest elected member of the PLC and identified as a coming leader of Hamas by some (Milton-Edwards and Farrel 2010:240), said that the solution was to have a state along the '67 borders – and "leave for the next generation to decide" whether the ceasefire should be made permanent[9].

The point that the principle of having a ceasefire is stressed over references to the time period of 10 years, which the treaty made by Muhammad at Hudaybiya was to last, points to the fact that a *hudna* is understood as something more than a time-limited ceasefire and more than an agreement to abstain from hostilities. It is also a treaty in the form of a partial agreement. Moreover, this partial agreement is a sort of trial agreement. It is a trial whose verdict is to be made by the next generation. The common reference to the next generation – a generation normally being considered 25 years – implies a possible longer time frame than 10 years. Of course, by making the agreement temporary and by postponing the question of making a final agreement one also opens for having changes in the power balance, which is what happened in the historic precedent of the Treaty of Hudaybiya.

The possibility of an extension of the duration of the ceasefire, and the opportunity of turning the partial agreement into a more permanent one, appears not to be controversial in Gaza. In contrast to the inflexibility expressed in the charter of Hamas, this aspect of the *hudna*, of a possible extension and permanence of the *hudna*, expresses a more pragmatic side of the Islamic resistance movement in Gaza.

***

So far we have concentrated on the positions of Hamas in Gaza. Formally, Hamas has a functioning political system in which its various regional branches are represented – the *shura*. Nevertheless, the circumstances of being inside Palestine versus in exile imply different influences, concerns, information and priorities. Different geographical positions make for different political positions. For this reason, as outlined in the next section, leaders

---

[9] Interview Are Hovdenak, Gaza 17.3. 2007.

of Hamas in Syria and Lebanon have been interviewed with regard to their perspectives on what they think the conditions for making a *hudna* with Israel should be.

2.3 Hamas in Syria and Lebanon

To obtain the official Hamas view on the *hudna*, the regional spokesman and politburo member of Hamas, Osama Hamdan, was interviewed in Damascus[10]. Hamdan said that the request for an interview on the *hudna* had been discussed among the leaders in Damascus and that it had been decided that he was to give the view, and that therefore it was not necessary to ask for alternative perspectives inside the Hamas leadership in Damascus on the topic. This is a notable difference from Hamas in Gaza, where there was no such culture of presenting a unified Hamas position on the *hudna*.

Osama Hamdan, member of politburo and spokesperson for Hamas in Damascus

Although he answered elaborately, Hamdan did not state explicitly what the purpose of the *hudna* was or what should come afterwards. This was, as stated among Hamas interviewees in Gaza, for the coming generations to decide, Hamdan said:

> When we talked about 10 years we thought this was a period of time throughout which real changes could be made. You cannot speak about a Palestinian state in one or two or three years, you have to have at least five to seven years for that. So for the state to act as a part of the international community with all its responsibilities to the

---

[10] Hamas reorganised its political structure in exile in 2009, and Hamdan was appointed a regional spokesperson, sometimes referred to as foreign minister of Hamas in exile.

international community, it needs time, which we expect would be about 10 years. Now we have talked about 10 years. There is no meaning to ask the people, can you accept 20 years, or 30 years, if there is nothing in the ground to negotiate. Maybe after 9 years, someone will ask, are you going to the war after another year, or we may have something else. If there is a Palestinian state and Israel was showing aggression against the Palestinian state, no one can talk about peace or extending the period. But if there was a kind of trust maybe you can talk about something else.

With regard to why Hamas has not provided more details about the conditions for a *hudna*, Hamdan relates that Hamas has not discussed details so far.

 "Look, in fact, we did not go through the details. We have decided in Hamas to give our position and we are ready to stand by our initiative. If you accept that, we will go to the details, if not, we are not ready to talk about the details. This is because each time they go to the details they try to minimise what you are talking about. When we said dismantling the settlements, it means all the settlements, when we talked about Jerusalem, it means the lines of fourth of June, the clear lines, when we talk about the right of return, it is clear. It means to have an acceptance of the self-determination of the Palestinians creating a sovereign Palestinian state. These are the principles. If they were accepted, then we could go through the details."

On the right of return, Hamdan says that this is not something that Hamas, nor anybody, has the right to discuss. "The right is an issue which is not supposed to be negotiated. We can discuss how to implement this right, not more than this." Hamdan is careful to correct any suggestions that the *hudna* is a way to circumvent the refugee issue. Asked to comment on the statement of the Hamas leader in Gaza, Ismael Abu Shannab, who said that the refugee issue should be solved but that its solution is not necessarily a precondition for a peace agreement, Hamdan replied: "Well, they assassinated him although he said that." The problem with the *hudna* is not Hamas, according to Hamdan. "Inside Hamas there are some ideas that are accepted all the time; this is one of those ideas." The problem of agreeing to a *hudna* is the lack of response, said Hamdan, adding that Israel has responded by claiming that 10 years of *hudna* means war after 10 years. "If Israel were looking for a peace, they would say, "OK, 10 years will be a good period to create trust between both sides."

It would possibly take a new discussion of the details of the *hudna* inside Hamas to have a clarification of minimum positions, including that on the refugee issue. As long as there is no momentum, there are no gains in any concessions. It is noteworthy that Hamdan says that the *hudna* is one of the core principles of Hamas. The *hudna* is there, but there is no trust in negotiating its terms under the current political circumstances.

In the Yarmuk camp in Damascus another leader of Hamas, Tareq Hammoud, leader of Hamas' refugee organization in Syria, the Palestinian Return Community (Wajeb), expresses a common concern about the *hudna* among Hamas in exile[11]. "We need to balance," Hammoud said. "We are flexible. Our aim is not to have all at once but to liberate in stages. But we have to balance; if we are too flexible, we will lose the support of the people." To be flexible for Hammoud means to have a state with the 1967 borders – and refuse any negotiations about a land swap rather than the '67 borders – and to have an acceptance of the principle of right of return. "To us, the *hudna* is the minimum. We cannot accept anything less than the *hudna*. On return, we may discuss how to implement the principle, but we do not discuss the principle".

Palestinians in Syria
There are about 400 000 Palestinian refugees in Syria. The Palestinians in Syria are well integrated and largely experience political sympathy from the indigenous Syrian population. Legally, the Palestinians living in Syria have the same duties and responsibilities as Syrian citizens, including full access to government services. Palestinians in Syria undertake military service in the Palestine Liberation Army under Syrian command. Syria has ratified the 1965 Casablanca Protocol which stipulates that Arab countries should guarantee Palestinian refugees rights to employment, residence and freedom of movement, while maintaining their Palestinian identity and not granting them citizenship. Many Palestinians work as journalists in the Syrian media. Palestinians hold the Palestinian Travel Document, valid for 6 years, like Syrian passports. Palestinians may own one house per person in Syria but not farm land (Shafie 2003).

In Syria Hamas are wary of the situation in Lebanon. Many Hamas leaders, including Osama Hamdan, constantly travel back and forth between Syria and Lebanon. Clearly, when interviewing Hamas in Lebanon the question of how the return issue relates to the *hudna* is a big concern. Hamas has rearranged their political structure in Lebanon, with the country representative being elected by its members in Lebanon. This, having leaders in Lebanon born in the camps and not coming from Kuwait or from outside, has increased the legitimacy of Hamas in Lebanon, says Yasser al Ali, the editor of the Hamas journal on refugees, *al-Awda*[12].

---

[11] Interview in Yarmok Camp 25. February 2010

[12] Beirut 26. April 2010.

When Ali Baraka, the new leader of Hamas in Lebanon, was interviewed, he considered the *hudna* a liability for Hamas in Lebanon: "The *hudna* is not for people here, not for the situation here", he said in Beirut[13]. But Baraka did recognise that when Hamas members in Lebanon participated in discussions on the *hudna* inside the various regional cells, while regarding the *hudna* as irrelevant for the situation in Lebanon, it was understood that people in Palestine, especially in Gaza, were living in a war situation which made it acceptable to discuss the *hudna* from their perspective. But now was not the time to have a *hudna* Ali Baraka said: "When we speak about *hudna*, our people ask us; 'Why do you speak about *hudna*? This is Fatah! Is Hamas like Fatah?' It is a very difficult problem for us."

One aspect of the fact that Baraka views the *hudna* as a liability is that it shows that the *hudna* is not sold in Lebanon as being something else than a partial solution by which refugee return is possibly postponed. This is also confirmed by the Hamas editor Yasser al Ali. Ali said in an interview[14] that a *hudna* would mean that the fight to have refugee return would be continued with non-violent means, and thus that the main issue of the *hudna* was to see the establishment of a Palestinian state. This indicates that the consultation process about the *hudna* carried out inside Hamas in 2005 and 2006 was indeed comprehensive, and that its various dimensions, including being a partial agreement, have been well founded also among its members within the refugee community.

This, the possible postponement of the refugee issue, is the reason Ali Baraka gets uncomfortable when the *hudna* is referred to in public discourse. While the Europeans accepted the *hudna*, said Baraka, in Lebanon "when Hamas speak about the *hudna* it is dangerous, not good, because of the jihadist groups." The challenges from these groups, and other opposition to the *hudna*, will be analysed more closely below.

---

[13] Beirut 28. April 2010.

[14] Beirut 26. April 2010.

3. Challenges

Hamas are known to be sensitive to popular will and frequently refer to "Palestinian legitimacy" and "national interests" (Gunning 2008:237.) On the one hand, the *hudna* does allow Hamas to suspend the issue of refugee return. On the other hand, it is hard to see how this can be done if Hamas leaders regard popular will and the national interests to be opposed to it. The question of the *hudna* is then basically one of how national interests and Palestinian legitimacy are defined. Palestinian legitimacy is, according to Osama Hamdan[15],

> keeping the right of the Palestinian people and working to achieve the Palestinian national goals. You can not be legitimate if you betray your own people. If you want to be legitimate you have to keep the interests of your own people. There is the Palestinian legitimacy from the nation, and on the other hand the practical legitimacy of your political program. If you gain both of those, there is real Palestinian legitimacy. If not, I do not believe it is legitimacy.

This means that Hamas are sensitive and susceptible to the political streams of their constituencies. Just as the destiny of the *hudna* is determined by deeper political intentions or ideology, it is likely equally determined by factors and dynamics to which Hamas responds. In other words, the standing of the *hudna* inside Hamas is partly the outcome of how it is read by the constituencies to which Hamas is receptive. For this reason, in order to understand the current content and standing of the *hudna* inside Hamas, it is necessary to identify the regional dynamics and factors that Hamas responds to.

3.1 The jihadist threat in Lebanon

In the largest Palestinian refugee camp in Lebanon, Ain al-Hilwe, hosting more than 70 000 refugees, the two most powerful *salafi* jihadist[16] groups are Usbat al-Ansar, which reportedly recruited in the camp for Al-Qaida in Iraq, and Harakat Islamie Mujahida (Gambill 2003, Alami 2010).

Harakat Islamie Mujahida is known among other things for its comprehensive media apparatus in the camp, including TV and radio stations. Their leader is Sheikh Jamal Khattab,

---

[15] Interview Damascus 12. March 2010.

[16] That the groups are *salafi* refers to that they combine a literal interpretation of sacred texts of Islam with attempts to emulate the first Muslim communities. That they are jihadist indicates that they are militant and embrace a warlike cult of global jihad (holy war), like the ideology of al-Qaida (Rougier 2007:2).

who is also the leader of the Islamic Forces in Ain al-Hilwa[17]. Khattab has been accused of representing Al-Qaida in Lebanon and of funding groups in Lebanon for Al-Qaida (Gambill 2003). Khattab, who is an influential man in Ain al-Hilwe and Lebanon, denies this[18]. In an interview[19] Khattab recognises the *hudna* as legitimate in Islamic jurisprudence, but he ardently refuses a *hudna* that postpones a solution to the refugee issue. To implement the right of return you need force, not negotiations, he said. A legally valid *hudna* can only be made for the benefit of the Muslims, and if the refugee issue is omitted or postponed, it is not, he argues.

> At certain stages you might find a kind of peace agreement which is temporary. And this is acceptable from the Islamic point of view. In Islamic jurisprudence, you find this concept. And our messenger has made this even with the armed leader in Mecca. So it is legitimate. But the *hudna* must be conditional. This means that what is included in the *hudna* must not contradict any right. And it must not accept the Israeli occupation. From an Islamic point of view, this would not be a *hudna*, it would be cancelled with respect to Islamic jurisprudence. To make a *hudna*, it must be under conditions, not of an open kind. I am sure Hamas will not accept a refusal of refugees return.

In Ain al-Hilwe, Usbat al-Ansar and Harakat Islamie Mujahida, the main *salafi* jihadist groups in the camp are in continuous dialogue with Hamas. Hamas in Lebanon has used considerable efforts to turn these groups against Al-Qaida. In 2001-3 Hamas, refusing to expand its field of resistance to outside Palestine, was branded as infidels and had members gunned down in the Ain al-Hilwe camp. The camp was regarded as a safe haven for Islamist terrorists, also non-Palestinians, as Lebanese authorities refrained from entering the camp "to avoid a massacre" (Gambill 2003). The security situation inside the camp was intolerable.

---

[17] The Islamic Forces include Usbat al Ansar, Harakat Islamie Mujahida, Hizb al Tahrir (close to Hezbollah), and Hamas, Islamic Jihad (Aburous 2010).

[18] A leader of Palestine Liberation Front in Ain al-Hilwe said that if there were elections in the camp, Sheikh Jamal would crush any other candidate (Ain al-Hilwe, 29. April).

[19] Interview in Ain al-Hilwe, 29. April.

The permanent crisis of Palestinians refugees in Lebanon

In 1948, 100 000 Palestinians from northern Galilee escaped or were expelled from Israel to Lebanon. Today the refugees number approximately 420 000 people, around 12% of Lebanon's population. More than 50% live in refugee camps (Rougier 2007:1, UNRWA 2009). During the Lebanese civil war from 1975 to 1990, 150 000 people lost their lives; more than a third were Palestinians (Sayigh 1997: 540). 20 000 people are still missing or unaccounted for from the civil war[1].

A 1962 decree bans Palestinians from working in 70 jobs. In 2005 the decree was amended, but still Palestinians were banned from 20 jobs (Amnesty International 2007:19). In August 2010 the Lebanese government passed a law that allowed Palestinian refugees to work legally in some menial jobs. They were still barred from working in the public sector and several professions, and from buying property (Muir 2010). Palestinians may now work as doormen and waiters, but they are banned from working in professions demanding higher education, like law, medicine and engineering.

The main labour market outside Lebanon has been closed for the Palestinians since the Gulf war, when Palestinians were excluded from the Gulf labour market. The lack of job prospects has made it pointless to get an education.

According to Amnesty International, Palestinian children drop out of school and look for work as manual labourers or rag pickers, sorting through rubbish to find things to sell for recycling (Amnesty International 2007:24). An UNRWA employee told PRIO that at the camps in the north, less than 2000 out of 20 000 pupils passed the mid-term exams in mathematics, Arabic and English. According to the UNRWA official, they had never before witnessed such failure rates (Interview Lebanon 26 April). The refugees in Lebanon are defined as ultra poor, 35% earning less than two dollars per day (Jacobsen 2000: 9).

The situation was similar to the one in Nahr al Bared, which exploded in 2007 when the Al-Qaida-inspired group Fatah al Islam attacked the Lebanese Army, leading the army to shell the camp, destroying as much as 80 percent of it and making its 30 000 residents flee to other camps. The conflict cost 500 people their lives (Amnesty International 2007:5). Fearing a destiny similar to that in Nahr al Bared in Ain al-Hilwe, many Palestinians turned against the anarchic violence of the Al-Qaida groups. This made the *salafi* jihadist groups receptive to the influence of others. Hamas intensified meetings with the groups and during these meetings allegedly convinced them that their behaviour was inconsistent with Islam. The largest group, Usbat al-Ansar, came to the conclusion that they had to change their behaviour (ICG 2009:25). "When we helped to make peace between Usbat al-Ansar and Fatah, Usbat people told us that we were the mind, they were the soldiers[20]", said Ali Baraka of Hamas. When asked to comment the statement, the leader of Usbat al-Ansar, Abu Tarek al-Saadi, recognised the Hamas influence. "We are the same as Hamas, we are the soldiers, the same ideology. Ali Baraka is my twin", he said[21]. The Usbat al-Ansar leader explained that he was strongly against democratic elections, but the *hudna* he recognised as legitimate from a religious perspective. It was acceptable for Hamas in Gaza – while not for Usbat al-Ansar in Lebanon. "Hamas knows the situation in Gaza better than we do", said Abu Tareq.

Although potentially fragile, it is a main achievement for Hamas to contain these groups rather than to have them as opponents. Al-Qaida has lost their appeal in the camp, a former Usbat al-Ansar member said[22]. Apparently, Hamas has succeeded in Lebanon in what they have failed to do in Gaza. In Gaza, the *salafi* jihadist groups have labeled Hamas apostates.

---

[20] Interview in Ain Al-Hilwe, 29 April 2010. In February 2010 internal fighting in the deeply split Fatah in Lebanon made a Fatah group attack Usbat al-Ansar in Ain al-Hilwa by mistake, which led to fighting between Fatah and Usbat al-Ansar, killing two Fatah men. Hamas initiated the reconciliation process which ended the violence. "The best for us would be that Fatah and Usbat al-Ansar extinguished each other, but we thought of our people and initiated to have peace in the camp", said Hamas leader Ali Baraka (Interview 28 April, Beirut).

[21] Interview in Ain al-Hilwe, 29 April 2010.

[22] Ain al-Hilwe, 29 April 2010.

3.2 The jihadist threat in Gaza

By 2010 Hamas were the target of an international boycott, and the socio-economic situation in Gaza was precarious. The economic situation in Gaza had nearly crippled the Hamas rule. In March and April 2010 the Hamas government was unable to pay the wages of civil servants. Several new taxes imposed, including on cigarettes, were naturally very unpopular by the insolvent inhabitants. It was reported that the economic crisis could spark an uprising in Gaza (Issacharoff and Harel 2010). Opposition had grown from within Islamist ranks, from people who regard Hamas as too "lite" as an Islamist movement (Putz 2008). The pressure from Al-Qaida-inspired *salafi* jihadist groups allegedly has had an ideological impact on the clandestine military branch of Hamas.

Hamas initially attempted to overcome the *salafis* by means of dialogue. "'Ulama and the big sheikhs always explain to the young people the true content of the religion, and in this manner they try to minimise the potential of people who may be radicalised, " said Marqan Abu Ras, head of Palestinian Scholars League and a Hamas PLC member. "We try to treat their way of thinking, to convince them to leave the Al-Qaida thoughts, by discussion and argument", said Hamas-leader Izzat al-Rashaq (Hovdenak 2009b:32). But the discussions with the *salafi* jihadist groups were fruitless. In the autumn of 2009, 24 people were killed and 120 wounded as the group known to share Al-Qaida's *salafi* jihadist ideology, Jund Ansar Allah, refused to disarm and surrender to Hamas (Cohen et al. 2010:21). One of the Jund Ansar Allah militants killed in the confrontation was Fuad Banat. He had been a former military leader in Hamas but split from Hamas, although he remained close to the commanders of the military branch of Hamas. Reportedly, Banat split from Hamas because of disagreement over the unilateral ceasefire, *tahdi'ah*, which Hamas declared with Israel in June 2008 (Cohen et al. 2010:22). If

a military leader of Hamas split from the movement but maintained warm ties to other military leaders of Hamas, it is possible that it was not disagreement with the military leaders of Hamas that caused the split. If so, a tension exists between the political branch of Hamas and elements within the armed branch. If a long-term *hudna* with Israel is agreed upon, internal tensions within Hamas could possibly increase, and the danger of internal fragmentation or even a split increase.

Although the representative from the military branch interviewed for this study supports the *hudna*, a source within Hamas told the author that he feared the leader of Hamas's military wing in Gaza, Ahmad al-Ja'abari.[23] Al-Ja'abari had too much power, and his political views threatened the positions of the pragmatists within Hamas. Reportedly, Al-Ja'abari was involved in turf wars with the forces of Fathi Hammad, the interior Minister of Hamas in Gaza, by the spring of 2010 (Pelham 2010:10). The conflict made Al-Ja'abari solicit the support of *salafi* jihadist renegades from the Qassam Brigades. These military elements allegedly strongly oppose a *hudna*. This is indicated by their opposition to the short-time ceasefire, the *tahdi'ah.* Already in the 1990s it was reported that that prominent members of the military branch opposed the *tahdi'ahs*, and the Hamas leader Mahmod al-Zahar – now considered a hardliner – had been life threatened for discussing the truce with Isarel (Mishal and Sela 2000:71).

Membership in Gaza's *salafi* jihadist groups is estimated at a couple of hundred, and they are in no position to challenge the major Palestinian groups in terms of popular support (Cohen et al. 2010: 4, 32). Nevertheless, they do have strong motivation to act as spoilers against possible negotiations on an extended ceasefire, which could have an impact on the internal discipline within Hamas. Thus, the main worry of political leaders of Hamas in Gaza concerning Al-Qaida is not that they constitute a military threat or have large popular appeal; the fear is that they have ideological influence within the military branch of Hamas. "My worry is that Hamas itself might choose a policy that seems close to Al-Qaida ... the pressure makes the political person very weak and the militant person very powerful. That is the

---

[23] Ja'abari was elected to the *shura* of Hamas in August 2008, according to an anonymous source within Hamas in Gaza.

danger," said Nasser al-Shaer, the deputy prime minister of the first Hamas government (Hovdenak 2009b: 37).

<center>***</center>

In Gaza and Lebanon, where the situation is most precarious for the Palestinians, the potential undermining of an eventual *hudna* comes from radical Islamists. But in neither place do these groups challenge Hamas's public standing. In Syria the situation is different, as Hamas struggle to sustain legitimacy by maintaining unity among secular national factions and Hamas's main Islamist rival, Islamic Jihad.

3.3 The rejectionist groups based in Syria

Boosted by their electoral victory in 2006, and aware of the fact that PLO has lost legitimacy in the Palestinian exile milieu over the Oslo process, Hamas in Syria has worked to unite the Palestinian groups opposed to the Oslo accords, and which are united in the Alliance of Palestinian Forces (APF)[24]. The alliance, in the eyes of its members, serves as the de-facto PLO representing the Palestinians in exile, after PLO changed its charter in Gaza in 1996 (Frisch 2009:253-4). The 1948 refugee exodus, not the 1967 occupation, has been on the top of the political agenda of the members of the APF.

> **The Palestinian rejectionist groups in Syria**
>
> All the founding members of the Alliance of Palestinian Forces (APF) are today based in Damascus: Hamas, The Palestinian Islamic Jihad, the Palestinian Front for the Liberation of Palestine (PFLP), the Democratic Front for the Liberation of Palestine (DFLP), the Palestinian Front for the Liberation of Palestine-General Command (PFLP-GC), Fatah-Intifada, Sa'iqa, The Palestinian Liberation Front (PLF), the Palestinian Popular Struggle Front (PPSP), and the Palestinian Revolutionary Communist Party (PRCP).

Nevertheless, as Talal Naji, the deputy leader of PFLP-GC sums up, most of the resistance groups are not necessarily opposed to the idea of a *hudna*: "If Israel withdraws from all of the West Bank and East Jerusalem, and allowed us to solve the question of the refugees and the

---

[24] DFLP and PFLP are not part of the alliance but meet regularly with Hamas in Damascus.

right of return, then yes, we are ready to have a *hudna*[25]." PFLP-GC is a potential spoiler as it is one of the two Palestinian groups – Fatah-Intifada being the other – which still have military bases in Lebanon, as well as in Syria, outside the refugee camps.

Fahed Soleiman from DFLP and Abu Nidal al Askar from PLF expressed views that did not differ much from the ones quoted above. But they also hinted that the whole idea might be a tactical move rather than a serious suggestion from Hamas. Abu Ahmed Fuad, the deputy head of the politburo of PFLP in Damascus, stated explicitly: "The *hudna* of Hamas is a tactic. It would mean that they have changed strategy. They suggest a *hudna* for 10 years. We think this is not practical; one should rather accept the UN resolutions, most important 194." It must be stressed though that DFLP and PFLP do not in principle oppose a *hudna*.

Sami Kandil, a member of the political bureau of Sai'qa, which could be considered to reflect official Syrian position, also said that the idea of a *hudna* was a tactic from Hamas, dictated by the power imbalance vis-à-vis Israel. Saiqa's opposition to the *hudna* seems more determined by a lack of trust in Israel than a genuine resistance to the idea itself:

> We have no faith in the *hudna*. We believe in continuing the struggle against Israel which does not believe in the *hudna*. The *hudna* after 1948 has given us what we have now – and also in 1936 and so on – because of these *hudna*s we had the Palestinian catastrophe. We who are part of Baath-party look about Israel as the enemy we could not have a *hudna* with. We believe in liberation. This is tactic.

> *DT*: So you are against to have a *hudna* with Israel?

> *Kandil*: We are against it, but if the circumstances were there, we could consider it.

More reluctant towards the *hudna* is Fatah-Intifada. Fatah-Intifada maintains more than 1000 trained fighters in Lebanon and Syria (Strindberg 2000:70, UN 2009)." In January 2010 Fatah-Intifada leader Abu Mousa said : "Even if Syria sends a signal to Prime Minister Saad Hariri to disarm the militants outside refugee camps, we will not disarm." He added, "We are allies of Syria but we make our own decisions," and, moreover, "any decision on Palestinian arms in Lebanon is an internal Palestinian decision that has nothing to do with any other party"[26]. About the *hudna*, Abu Hazem, the deputy general secretary of Fatah-Intifada, told PRIO that they would never accept a *hudna* with Israel, even if Israel accepted it. "It would

---

[25] Interview with author in Damscus, March 2010.

[26] 18.1.2010 YaLibnan

necessitate negotiations, and we are against negotiations," Abu Hazem said, quoting that Israeli Prime Minister Itzak Shamir in Madrid in 1990 said that he could negotiation forever.

> *DT*: But the *hudna* is only a partial, temporary agreement, it is not a peace agreement, and Hamas has referred to that the Prophet made the *hudna*?

> *Abu-Hazem*: Hamas may do the tactics they think necessary. It is ok to do this to consolidate one's position. It is to prepare oneself. But we are against it.

Save the objections of Fatah-Intifada and Sai'qa, and some critical remarks by PFLP, DFLP, PLF and PFLP-GC, none of these factions appear to be ardent opponents of Hamas's offer of a *hudna*. This may be related to the fact that the *hudna* idea is not something they have thoroughly discussed nor taken too seriously. They appear to consider it tactics from Hamas, a manner in which Hamas balance their international appeal with their resistance platform.

In this regard, the opposition of the Islamic Jihad is markedly different, because they are against the *hudna* both tactically as well as ideologically. Anwar Abu Taha is the spokesperson and a politburo member of the second largest Palestinian Islamist group, Islamic Jihad. Abu Taha is a PhD in political science, and when asked in Damascus about Jihad's position on Hamas's offer of a *hudna*, he answered extensively. While not opposed to the short-term ceasefires, *tahdi'ahs,* Jihad objects to a long-term *hudna*:

> First, this would imply a recognition of the right of Israel to exist, something we reject. The second reason is that a long-term *hudna* would mean some procedures that would affect the national issues. Third, such a *hudna* would push some leaders to deal direct with Israeli leaders, and again, we refuse this kind of direct interaction with the Israelis. We believe that such a *hudna* would not mean the return of any of the Palestinian rights. It is a kind of freezing of the cause, nothing more than that. Also, we believe that Israel would not give or accept any kind of independent Palestinian state. Finally, regardless of what kind of government there is in Israel, whether it is leftist or rightist, we believe that the maximum they will give the Palestinians does not meet the minimum requirement of the Palestinians. This is supported by historical evidence.

Jihad considers Hamas's interpretation of the Treaty of Hudaybiya, in which the Prophet Muhammad made a *hudna*, as inaccurate. To make a *hudna* you need to be in a strong position, in order to negotiate better conditions, Abu Taha said:

> Usually all agreements reflect the power balance. When the Prophet Muhammad made the Hudaybiya treaty, he was the stronger party, so he could have better conditions. In politics it is always the weaker side that has to be subject to the conditions of the stronger side, and the Palestinians now would have to be subject to the terms of the enemies. We have evidence for this also in the history of the PLO and the Oslo

accords. All we have got from these were a bitter harvest, bad results. Israel sets the conditions as it wishes. Another point is that the interpretation of religious texts in politics is usually selective and influenced by partial interests. Hamas's interpretation here is reflecting Hamas's interests. We believe that the interpretation of religious text should be in the interests of the whole Palestinian people or the whole *umma*, rather than in the interests of a certain party or group."

Jihad is the Palestinian group that is considered to be closest to Hezbollah and Iran. Jihad's close ties with Hezbollah are significant, as Hezbollah has a military capacity unrivalled by any Palestinian group. A joint Jihad – Hezbollah opposition to Hamas would seriously challenge Hamas, and their project of uniting the exile groups. However, despite the opposition to the *hudna*, the Jihad leader added that Jihad would not undermine a consensus that included the Palestinian public – that is, the result of a referendum on the terms for a *hudna*. Even though the opposition from Jihad to a *hudna* is both tactical and ideological, it is not absolute.

4 Evaluation

The main opposition to Hamas's offer of a *hudna* is from the militant *salafi* jihadists. Al-Qaida criticised Hamas heavily in 2006 for participating in the Palestinian elections. *Salafi* jihadists believe that Muslims should not participate in elections to legislative organs, because Muslims would then find themselves in a position of legislating, which they regard as attempts to improve the law of God. Moreover, in 2007 Al-Qaida criticised Hamas for their willingness to respect international accords (Cragin 2009:577). Hamas responded with harsh criticism of Al-Qaida, stating that they use indiscriminate and unjustifiable attacks against innocents and that they are not in a position to pass moral judgment on Hamas. Hamas specifically referred to Al-Qaida attacks on various hotels in Iraq and Jordan, and that these were "proof of the blind use of weapons which tainted al-Zawahiri and his group" (ibid: 578).

Hamas see themselves as an Islamic national organization with a limited national objective and claim that the actions of their movement are accountable to the Palestinian people, not to the entire Muslim world. On the other hand, the aim of the global jihadists is to establish an Islamic caliphate which includes all the Muslims states in the Middle East. However, with regard to the participation in elections, there has been a change in Hamas's position. They did not participate in the presidential and legislative elections of 1996, while participating in the local elections in 2004/2005 and the legislative elections in 2006. It was a major change of course for Hamas to participate, as it implied a pursuit of goals within the political field, unavoidably, to some extent, at the expense of the armed struggle.

According to Cragin, there has also been a change in Hamas's political rhetoric in the 2000s; the adversaries of Hamas are now referred to as "Zionists", not "Jews" as during the first intifada. While Al-Qaida over the years has broadened its list of enemies, Hamas has narrowed them and has begun to accept democracy in Palestine. The two Islamic movements are in their tactical and strategic thinking completely opposed to each other (Cragin 2009: 586).

Hamas today present themselves as a moderate brand of Islamism. Thus, according to Hamas leader Khaled Mishal, Hamas are a centrist political movement:

> What we want is to reinforce the culture of tolerance and centrism (*wasatiyya*). In point of fact, the guiding principle that we as a Palestinian Islamic movement have adopted since our foundation until today is centrism, not fanaticism or extremism. Our political and religious culture is centrism. This does not mean that we do not have people who on occasion act beyond these principles, but these are individual cases. …

Our desire as a movement is that the Palestinian arena be one of freedom, of peaceful transfers of authority, of respect for the rules of democracy and the results of elections, and of prohibiting anyone from exercising dictatorship or imposing foreign intervention upon us (Rabbani 2008:73).

Ostensibly, Hamas has had a moderating effect on Palestinian politics in Lebanon. A strategy for Hamas in Lebanon has been to de-radicalise the *salafi* jihadists, as Hamas engaged in comprehensive dialogue with *salafi* jihadist groups in the Palestinian camps. In taking this role, though, it could be costly for Hamas to try to justify the pursuit of a possible *hudna*. The Hamas leader in Lebanon fears that a focus on a *hudna* could be interpreted as an adaptation to the supreme Israeli military power. This would undermine Hamas's legitimacy, their leading political position, and their influence on the jihadist groups. The *hudna* is a liability for Hamas in Lebanon, as they risk losing their ideological control over the jihadist groups.

Ain al-Hilwe, the largest Palestinian refugee camp in Lebanon

While Al-Qaida sympathy among Palestinian groups in Lebanon apparently are in decline, Hamas appear to be in the process of building an infrastructure in Palestinian camps, step by step entering the domains where PLO used to dominate. The process is reminiscent of Hamas's successful work of *Da'wah* in Gaza. *Da'wah* means to call people to Islam and to instigate social reform by establishing altruistic social institutions beneficial for the Islamic

public (Tamimi 2007: 254-5). The goodwill and trust thus generated could create ties of loyalty between camp residents and Hamas and possibly mitigate the resistance to a *hudna*.

In Syria, under the current circumstances, in terms of political goals – establishing a Palestinian state and having refugee return – there is consensus among the Syrian regime, the secular Palestinian resistance groups, and the Islamist Palestinian groups. No party has veto power over Hamas's political program, but to maintain good relations with both the so-called HISH alliance of Hamas, Iran, Syria and Hezbollah (Kramer 2007, El Husseini 2010:803) and the Damascus-based Palestinian resistance groups, Hamas follow a policy of strategic adaptability.

While interviewing the various Palestinian groups in Syria, it was observed that the only group having armed guards outside its office was DFLP, the most moderate group, which was attacked in Damascus when they recognised Israel during the Oslo process. Thus, today in Syria rejectionism resonates better than pragmatism. This makes tactical rejectionism less costly than tactical pragmatism for Hamas in Syria. However, as a political rather than a military organization in exile, Hamas is in need of diplomatic tools. They must balance their offer of a *hudna* with sustaining credibility on the two main rights propagated by the rejectionist groups, right of return and right of resistance.

In Gaza, the political and economic pressure on Hamas does not necessarily mean that the idea of the *hudna* is weakened. The *hudna* represents a way out of the exhaustion of the Gaza population, without Hamas having to compromise on their basic principles. Hamas in Gaza are eager to demonstrate their ability to govern. It is the first time ever a Sunni branch of the Muslim Brotherhood has territorial control, and this has made Hamas's Gaza government prestigious also for other Islamic movements.

Since the military takeover in June 2007, civil liberties have been reduced in Gaza, and the position of the armed branch of the movement consolidated. The decision of ousting Fatah and the military takeover were actually taken solely within the military branch without consultation with the political wing[27]. The main internal challenge of Hamas has been to reconcile their clandestine military branch with their consultative political system (Gunning 2008). But governing also means that Hamas has integrated militants into the formal security

---

[27] The takeover was not planned within the political wing of Hamas. Marwan Abu Ras, Hamas, interview with Are Hovdenak, Gaza, August 2007.

forces in Gaza. As their lives become less clandestine, members of the military branch of Hamas are also more exposed to popular opinion and the political leadership. This may de-radicalise people within the military branch, as the one quoted earlier. The increasing power of Hamas's armed forces that have been adapted into a regular police force under the Ministry of Interior means that the power of the clandestine Qassam brigades and their leader Ahmad al-Ja'abari may be rivalled. As the difference concurs with ideological differences, al-Ja'abari being lenient to *salafi* jihadism, there is a danger that an eventual *hudna* agreement could lead to overt violent conflict between various factions within Hamas in Gaza.

For Palestinians in Gaza, on the other hand, gaining a ceasefire with Israel, not including recognition of the Jewish state, and implying an escape from the exhaustion caused by the international boycott and the challenges from the *salafi* jihadists, is possibly perceived to surpass the costs of maintaining absolute rejectionist positions. Consequently, in Gaza Hamas could gain rather than lose popularity by making a *hudna*.
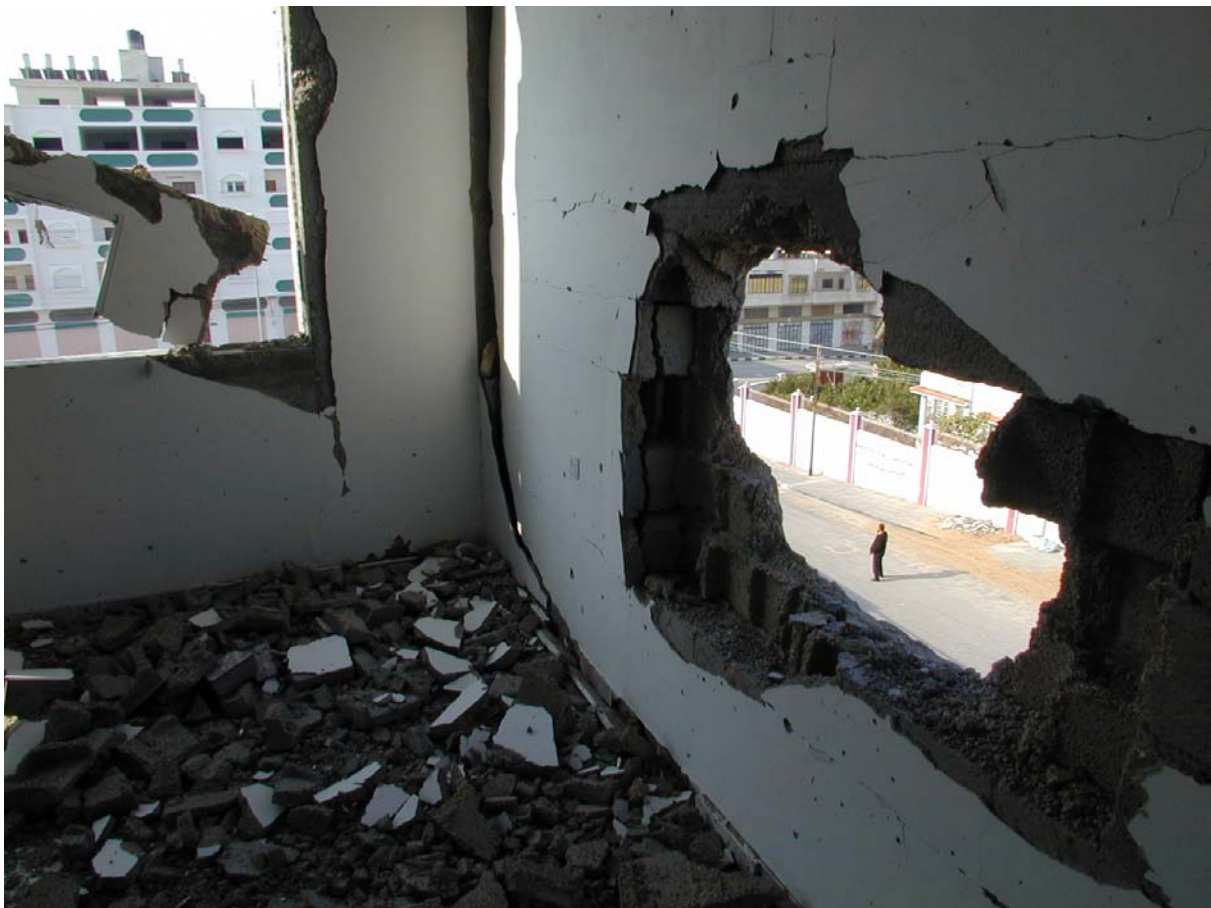
Gaza City

And, in principle, there is consensus on the idea of a *hudna* between the political wing of Hamas in Gaza and the exile leadership in Damascus, despite the situation in Lebanon. The question is then the extent to which the political wing of Hamas is hostage to the Qassam brigades of Ahmed al-Ja'abari[28]. Curiously, when Prophet Muhammad first made the *hudna* of Hudaybiya, it was also against the will of many of his followers. Omar, the second caliph, according to a *hadith* quoted by Glubb, even tried to refuse, stating that he would "not agree to a humiliating compromise", and that "God would not allow me to be a loser" (1970: 270). The *hudna* was agreed upon against the will of the military branch, so to speak.

Would an absolutist or a pragmatic position on the details concerning conditions, such as the question of postponing the refugee issue, prevail if political circumstances changed and the *hudna* was brought on the table of Middle East talks? To answer this, one probably has to identify the power position of various circles of power within Hamas. While there apparently are differences between the Hamas leadership in Gaza and in Damascus, the deepest tensions appear to be between the political wing and the military wing of Hamas in Gaza.

---

[28] By December 2008 it was reported that Ja'abari commanded 20 000 fighters in the Qassam brigades in Gaza (Milton-Edwards and Farrell 2010: 127).

5. Conclusion

Is Hamas's proposal of a *hudna* a tactical ploy or an Islamic recipe for a peaceful solution to the conflict? A *hudna* may be considered a tactic, but that does not make it a ploy. The *hudna* is tactical rather than strategic in the sense that it is thought of as a means to reach a goal, rather than being a goal in itself. As Mahmoud al-Zahar, the strongman of Hamas in Gaza said: "If we can fulfil our goals without violence, we will do so. Violence is a means, not a goal" (Mishal and Sela 2000: 71). Hamas also change their policies from time to time. Participation in the democratic elections of 2004 was thus based on a calculation that this was more beneficial in order to achieve long-term goals than to stand outside this process. The *hudna* provides Hamas with a diplomatic tool. It is a recognition that in fact peaceful means may be more politically efficient than violent ones.

On the other hand, equating the *hudna* and the *Qassam* rocket as equal means for Hamas to reach their final goals may be to underestimate the significance of the *hudna*. A *hudna* has the potential of being something more than simply a tool to reach a goal. In Arab and Islamic tradition, a *hudna* constitute a *phase*. First the ceasefire, *hudna*, then the *sulh*, reconciliation. The most common outcome of the *hudna* phase is a final peace agreement (Khadduri 2001).

The possible omission of the right of return as a condition for a *hudna* is mainly what distinguishes the *hudna* from a final peace deal. A *hudna* is a *partial* solution and a *temporary* agreement. It is not a final peace agreement. As long as the refugee issue remains unsolved, Hamas cannot recognise Israel, as Hamas leaders do not regard themselves as having the legitimacy to decide on this issue on behalf of the refugees (Tamimi 2008:158). The *hudna*, which does not imply recognition, means that Hamas can postpone the refugee issue. The whole point of the *hudna* is that it opens for agreements to be made where it is possible to agree, while at the same time the refugee issue, which is outside that window of opportunities, may be postponed.

Actually, the idea of a peace agreement that is not final has been forwarded also by Israeli leaders. Before the 2009 elections in Israel, former Israeli Prime Minister Benyamin Netanyahu called for an "economic peace", in which agreements should be made on "agreeable issues" (AFP 2008). Apparently, both within Likud and Hamas there are two approaches, one ideological and one pragmatic. The pragmatic approach implies to "put an end to "endism"", as Uzi Arad, former foreign policy advisor to Netanyahu formulated it (Arad 2008). To "end endism" means to leave the idea that the Israeli–Palestinian conflict can

be ended in a quick fix. This entails accepting that the final status cannot be finally agreed upon at this stage, but that this does not mean that the alternative is war. The Israelis hope an economic peace on the ground could create more positive sentiments on the Palestinian streets, and possibly eventually an atmosphere in which real peace negotiations may take place.

As little as Israel may pick who to agree with on the Palestinian side, the Palestinians may not pick their Israeli partner. The *hudna* implies a logic similar to the one outlined by Likud, in which the benefits of a partial solution are pursued. An essential question is whether what appears to be an agreement in principle, of *ending endism*, also means a possible compatibility on what the terms for a long-term ceasefire could be.

On this, the jury is still out. The conditions for a *hudna* are not fixed, including the question of postponing the refugee issue. Hamas must balance their position within their regional *shura*, taking into account the various contexts that define Palestinian national interests. The fate of the *hudna* is therefore as much determined by political developments as by religious or ideological principles.

Finally, Hamas's ideas of a *hudna* are not very complicated; they are not theologically sophisticated or elaborated. They comprise a suggestion of having a Palestinian state in exchange for an extended ceasefire. Why don't Hamas get a response?[29] In terms of security it is difficult to see what the risks are of taking the offer seriously. As long as the concern is security, and one is part of an armed conflict, one can only gain from it. Just as much as what the details of Hamas's conditions for a *hudna* are, the question is, is Israel willing to pay the political price for a *hudna*?

The question then is not whether there is a hidden agenda behind Hamas's offer of a *hudna*. Osama Hamdan said that in 10 years, if there is trust and people are happy, then there will be peace. If not, there will not be peace. It will be up to the next generation to decide.

Hamas has offered a *hudna* and, on the basis of the sources quoted in this report, they are serious about it. They are still waiting for a response.

---

[29] This question has also been asked in Israel, see Halevy 2008, Halpern 2007.

Bibliography

Abu Sway, Mustafa 2006. "The Concept of *Hudna* (Truce) in Islamic Sources." *Palestine-Israeli Journal* 13 (3).

Aburous, Mohamad 2010. "Salafi leader Khattab calls for Sunni-Shia reconciliation."
http://www.antiimperialista.org/en/node/6577 (1 September 2010)

AFP 2008 "Israel's Netanyahu pushes economic peace plan", AFP Nov. 19. 2008
http://www.google.com/hostednews/afp/article/ALeqM5gyv0VpRA4kI7sR9BN0KpQh-2RbuA (3
August 2010)

Alami, Mona 2010. "Is al-Qaeda moving in to Lebanon's camps?". *NOW Lebanon.* January 13, 2010.
http://www.nowlebanon.com/NewsArchiveDetails.aspx?ID=138168 (9June 2010)

Amnesty International, 2007. "Exiled and Suffering: Palestinian refugees in Lebanon." *Amnesty International* October 2007. AI Index: MDE 18/010/2007.

AP 2008, "Hamas offers truce in return for 1967 borders." *Associated Press* 21.4. 2008.
http://www.msnbc.msn.com/id/24235665/ (8 June 2010).

Atran, Scott 2004. "Hamas May Give Peace a Change." *New York Times* December 18 2004.
http://query.nytimes.com/gst/fullpage.html?res=9A0DE5D91530F93BA25751C1A9629C8B63 (9
June 2010)

Begner, Michael. 2009. "The *hudna* concept: Harbinger of peace or prolonger of conflict?" The Henry Jackson Society: Project for Democratic Geopolitics.
http://www.henryjacksonsociety.org/cms/harriercollectionitems/The%20Hudna%20Concept.pdf (1 September 2010)

Arad, Uzi 2008. "Doing What is doable." *Bitterlemons.org* November 24, 2008, Edition 42.
http://www.bitterlemons.org/previous/bl241108ed42.html#isr2 (9 June 2010)

Bodly, R.V.C. 1946. *The Messenger. The Life of Mohammed.* London: Robert Hale Limited.

Chernitsky, B. 2003. "The Domestic Palestinian Dispute Over the *Hudna*." *The Middle East Media Research Institute.* Inquiry & Analysis Series Report No. 144.

Cohen, Yoram, Matthew Levitt and Becca Wasser. 2010. "Deterred but Determined. Salafi-Jihadi Groups in the Palestinan Arena. *The Washington Institute for Near East Policy.* Policy Focus 99, January 2010.

Cragin, Kim 2009. "Al Qaeda Confronts Hamas: Divisions in the Sunni *Jihadist* Movement and its Implications for U.S. Policy." *Studies in Conflict & Terrorism.* 32: 576-590.

El Husseini, Rola 2010. "Hezbollah and the Axis of Refusal: Hamas, Iran and Syria." *Third World Quarterly* 31 (5): 803-815.

Frisch, Hillel. 2009. "The Death of the PLO." *Middle Eastern Studies* 45 (2): 243-261.

Gambill, Gary C. 2003, "Ain al-Hilweh: Lebanon's 'Zone of Unlaw'". *Middle East Intelligence Bulletin* 5 (6).

Gellmann and Vuinovich 2008. "From Sulha to Salaam: Connecting Local Knowledge with International Negotiations for Lasting Peace in Palestine/Israel." *Conflict Resolution Quarterly* 26 (2): 127-148.

Glubb, John Bagot. 1970. *The Life and times of Muhammad.* New York: Stein and Day.

Gunning, Jeroen, 2004. "Peace with Hamas? The transforming potential of political participation." *Internatinal Affairs* 80 (2): 233-255.

Gunning, Jeroen. 2008. Hamas in Politics: Democracy, religion, violence. New York: Columbia University Press.

Haaretz 2010, "Wall Street Journal: Palestinians make surprisingly large land offer to Israel." Haaretz 22.05.2010, http://www.haaretz.com/news/diplomacy-defense/wall-street-journal-palestinians-make-surprisingly-large-land-offer-to-israel-1.291453 (3 June 2010).

Landau, David and Eldar, Akiva 2004, "Ha'aretz interview with Yasser Arafat." *Haaretz*, 18 June 2004. http://www.fromoccupiedpalestine.org/node/1319 (8 June 2010)

Halevi, Jonathan Dahoah 2008. "The Hamas interest in the *Tahdiya* (Temporary Truce) with Israel." *Jerusalem Center for Public Affairs.* 8 (4). http://www.jcpa.org/JCPA/Templates/ShowPage.asp?DBID=1&LNGID=1&TMID=111&FID=582&PID=0&IID=2224

Halevy, Efraim 2008. "Israel's Hamas Portfolio." *Israel Journal of Foreign Affairs.* 2 (3): 41-47.

Halpern, Olga 2007 "Experts Question Wisdom of Boycotting Hamas." *The Jewish Daily Forward*, February 9 2007, http://www.forward.com/articles/10055/ (8 June 2010).

Hovdenak 2009, Trading Refugees for Land and Symbols: The Palestinian Negotiation Strategy in the Oslo Process. Journal of Refugee Studies, 22 (1): 30-50.

Hovdenak, Are 2009b, "Al-Qaida – a challenge for Hamas?". *Norwegian Defence Research Establishment (FFI).* FFI-rapport 2009/00092.

ICG 2009. "Nurturing Instability: Lebanon's Palestinian Refguee Camps. *International Crisis Group.* Middle East Report 84, 19 February 2009.

Irani, George and Funk, Nathan C. 1998. "Rituals of reconciliation: Arab-Islamic perspectives." *Arab Studies Quarterly.* Fall 1998.

Issacharoff, Avi and Harel, Amos 2010. "Hamas fears economic crisis could spark uprising." *Haaretz* 04.05.2010 http://www.haaretz.com/blogs/mess-report/mess-report-hamas-fears-economic-crisis-could-spark-uprising-1.288056 (9 May 2010)

Jacobsen, Laurie Blome. 2000. "Finding Means. UNRWA's Financial Situation and the Living Conditions of Palestinian Refugees." *Fafo,* Fafo-report 415.

Khadduri, M. 2001. "*Hudna.*" *Encyclopedia of Islam* CD-ROM Edition v.1.1. Leiden: Koninklijke Brill NV.

Khadduri, M. 2001b. "Sulh." *Encyclopedia of Islam* CD-ROM Edition v.1.1. Leiden: Koninklijke Brill NV.

Kramer, Martin. 2007. "Hamas: "Glocal" Islamism." In *Iran, Hizbullah, Hamas and the Global Jihad.*

Jerusalem: Jerusalem Center for Public Affairs.

Lewis, Bernhard. 1950. *The Arabs in History*. New York: Oxford University Press.

Milton-Edwards, Beverley & Alastair Crooke. 'Waving, Not Drowning: Strategic Dimensions of Ceasefires and Islamic Movements' *Security Dialogue*, Vol. 35, No. 3 (2004): 295-310

Milton-Edwards, Beverley and Farrel, Stephen. 2010. *Hamas: The Islamic Resistance Movement.* Cambridge: Polity Press.

Mish'al, Khalid 2006. "We shall not sell our people or principles for foreign aid." *Guardian*, 31 March 2006. http://www.guardian.co.uk/world/2006/jan/31/comment.israelandthepalestinians (3 Mai 2010)

Mishal, Shal and Avraham Sela 2000, The Palestinian Hamas. Columbia University Press: New York.

Muir, Jim. "Lebanon grants Palestinian refugees right to work." *BBC News*, Beirut 17 August 2010 http://www.bbc.co.uk/news/world-middle-east-11004945). (1 September 2010)

Pelham, Nicolas, 2010, "Hard Times for Hamas", *Middle East International* 2 (11): 9-11.

Pipes, Daniel. 1999."Al-Hudaybiya and Lessons from the Prophet Muhammad's Diplomacy." *Middle East Quarterly,* September 1999.

Plotkin, Robert. 2002. "Hamas would accept Saudi peace plan, spokesman says." *SFGate.com.* April 28 2002. http://articles.sfgate.com/2002-04-28/news/17540141_1_hamas-leaders-ismail-abu-shanab-gaza-city,

Putz, Ulrike 2008. "'Compared to us, Hamas is Islamism lite.'" *Spiegel Online International.* 18.07.2008. http://www.spiegel.de/international/world/0,1518,566740,00.html (8 May 2010)

Rabbani, Mouin 2008. ”The Making of a Palestinian Leader. An Interview with Khaled Mishal: Part I.” *Journal of Palestine Studies* 37 (3):59-73.

Rabbani, Mouin. 2008b. A Hamas Perspective on the Movement's Evolving Role: An Interview with Khalid Mishal: Part II. *Journal of Palestine Studies.* 37 (4): 59-81.

Rodinson, Maxime. *Mohammed*. 1971. New York: Pantheon Books.

Rougier, Bernard. 2007. Everyday jihad: the rise of militant Islam among Palestinians in Lebanon. Cambridge, Mass.: Harvard University Press.

Saigh, Yezid. 1997. "Armed Struggle and the Search for State." Oxford: University Press.

Shafie, Sherifa. 2003. Palestinian refugees in Syria. FMO Research Guide. http://www.forcedmigration.org/guides/fmo017/fmo017.pdf (September 1. 2010)

Sharon, Moshe 2007. "*Hudna*h and sulh do not mean "peace"." *Think-Israel.* November-December 2007. http://www.acpr.org.il/nativ_e/085-nativ-toc.htm (1 September 2010)

Strindberg, Anders 2000, "The Damascus-Based Alliance of Palestinian Forces: A Primer." *Journal of Palestine Studies* 29 (3): 60-76.

Tamimi, Azzam. 2007. *Hamas: Unwritten Chapters*. London: Hurst and Company.

UN 2009, "Tenth semi-annual report of the Secretary-General on the

implementation of Security Council resolution 1559 (2004)." *UN Security Council* .S/2009/542 http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Lebanon%20S%202009%20542.pdf (1 September 2010)

Watt, WM. 1961. Muhammad: Prophet and statesman. New York: Oxford University Press

Wehr, Hans. 1976. *A dictionary of Modern Written Arabic (Arabic-English).* Edited by J. Milton Cowan. New York: Ithaca Press.

Weir, Shelagh. 2007. A Tribal Order. Politics and Law in the Mountains of Yemen. Austin: University of Texas Press.

Yousef, Ahmed 2006. "*Hudna* (Truce)." *House of Wisdom for Conflict Resolution & Governance.* Gaza: House of Wisdom.

Yousef, Ahmed. 2006b. "Pause for Peace." *New York Times.* November 1, 2006. http://www.nytimes.com/2006/11/01/opinion/01yousef.html (1 September 2010)

Hamas's Concept of a Long-term Ceasefire: A Viable Alternative to Full Peace?

Hudna is the offer of Hamas, the Palestinian Islamic Resistance Movement, of an extended ceasefire with Israel. There are two interpretations of this offer. The first is that the *hudna* is a tactic in order to have all of Palestine conquered. The second is that it is an Islamic method for conflict resolution which can lead to a permanent peace. In other words, the *hudna* is either a tactical ploy, or a serious offer for an Islamic peace process.

This study is based on interviews with Hamas leaders in Syria, Lebanon and Gaza, as well as with representatives from other Palestinian groups thought to have an impact on the policy of Hamas. The study finds that the *hudna* is tactical rather than strategic in the sense that it is thought of as a means to gain an objective, rather than being a goal in itself. Nevertheless, one should not underestimate the significance of the *hudna*. A *hudna* has the potential of being something more than simply a tool to reach a goal. In Arab and Islamic tradition, a *hudna* constitutes a phase. First the ceasefire, *hudna*, then the *sulh*, reconciliation. The most common outcome of the *hudna* phase is a final peace agreement.

The possible omission of the right of return as a condition for a *hudna* is mainly what distinguishes the *hudna* from a final peace deal. A *hudna* is a partial solution and a temporary agreement. It is not a final peace agreement. As long as the refugee issue remains unsolved, Hamas cannot recognise Israel, as Hamas leaders do not regard themselves as having the legitimacy to decide on this issue on behalf of the refugees. The *hudna*, which does not imply recognition, means that Hamas can postpone the refugee issue. The whole point of the *hudna* is that it opens for agreements to be made where it is possible to agree, while at the same time the refugee issue, which is outside that window of opportunities, may be postponed.

Hamas's ideas of a *hudna* are not very complicated. They basically comprise a suggestion of having a Palestinian state in exchange for an extended ceasefire. After the ceasefire, if there is trust and people are happy, then there will be peace. If not, there will not be peace. According to Hamas, this would be up to the next generation to decide.

Dag Tuastad
Peace Research Institute Oslo (PRIO)

PRIO