

**Refereed Academic Study**

# **Hamas's Political Vision**

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## ***Introduction***

This study discusses Hamas's political vision by examining specific issues, namely: religion and state, patriotism and secularism, democracy and the power of the people, political pluralism, and human rights, with the aim of identifying Hamas's theoretical and practical attitude on these issues. The researcher in his approach relies on ideological and political determinants contained in Hamas's written documents, or statements by Hamas leaders, cross-referencing it with Islamic political literature, especially that of the Muslim Brothers (MB) movement. The research applied the analytical descriptive approach, only offering a deeper historical background to attitudes and facts when necessary.

## ***First: On Hamas's Political Ideology***

There is a difference between Islamic ideology and Islam itself. Islamic ideology is the intellectual product of Muslims aimed at meeting the interests of the community, and serving religious principles in general, whereas Islam is divinely revealed and contains a fixed set of laws. Accordingly, ideology can be developed, changed, and can tolerate multiple points of view, by virtue of changing reality and differences of opinions. Therefore, adherence to ideological principles is contingent upon its consistence with general Islamic rules and principles.<sup>3</sup>

Our understanding of the difference outlined above is necessary if we are to understand Hamas's ideological and political vision on the issues pertinent to the research, which revolve around: religion and state, patriotism and secularism, democracy and the power of the people, political pluralism, and human rights, on the basis that these themes are components of the organization's political and ideological vision, and on the basis that Islam has put forward general principles for politics, which constitute a binding reference to the details that Muslims develop to manage their affairs and serve their interests, according to their changing temporal,

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<sup>3</sup> Muhammad al-Ghazali, *Laysa min al-Islam* (Not of Islam), 6th ed. (Cairo: Maktabat Wehbeh, 1996), pp. 136–139.



spatial, and cultural needs. It is their right to establish institutions and necessary mechanisms to convert general Islamic provisions or principles into functioning mechanisms and specific institutions. This is what we call the political ideology of Hamas.

Hamas is a Palestinian national liberation movement with an Islamic frame of reference. It has defined itself in its Charter as being an “Islamic Resistance Movement: Islam is its system. From Islam it reaches for its ideology, fundamental precepts, and world view of life, the universe and humanity.”<sup>4</sup> Although it is a resistance movement working to liberate the land and people, “it is not a military group but a comprehensive liberation movement...operating in various fields and arenas, and has its own goals and political vision. It is a popular movement living the concerns of its people at home and abroad, defending their interests and seeking to serve them.”<sup>5</sup> Hamas also identified its relationship with the MB movement, and stated that “the Islamic Resistance Movement is branch of the Muslim Brotherhood chapter in Palestine.”<sup>6</sup>

But it does not seem that the idea of Hamas being a “branch” is very accurate, because it would suggest that there are two organizations in Palestine: A Muslim Brotherhood chapter, and a branch, Hamas. But in reality, this is not the case. When Sheikh Ahmad Yasin was interviewed on the television program *Shahid ‘Ala al-‘Asr* (Witness to an Era), he was more accurate, saying, “We are of the Muslim Brotherhood...We are an extension of the Muslim Brotherhood all over the world.”<sup>7</sup> Based on the above, we can say: The sources of Hamas’s political ideology are made up of:

1. Islamic political ideology produced by Islamic thinkers, past and present.
2. The MB movement’s political ideologies and their interpretation of Islam.
3. The ideology of Hamas leaders, thinkers, cadres and their political literature.

I find myself leaning on the first and second sources in my approach to understand Hamas’s political vision, the topic of this study, given the lack of information regarding the third source. This lack of information, which Khaled Hroub

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<sup>4</sup> Charter of the Islamic Resistance Movement (Hamas), August 1988, Article 1. The charter was translated by Muhammad Maqdsi for the Islamic Association for Palestine, Dallas, Texas, in 1990, and was published in *Journal of Palestine Studies*, Institute for Palestine Studies (IPS), Beirut, vol. XXII, no. 4, Summer 1993, pp. 122–134, <http://www.palestine-studies.org/sites/default/files/jps-articles/1734.pdf>

<sup>5</sup> Interview with Khalid Mish’al, *Assabeel* newspaper, Amman, 23/8/2010.

<sup>6</sup> Charter of Hamas, Article 2.

<sup>7</sup> Ahmad Mansur, *Ahmad Yasin Shahid ‘ala ‘Asr al-Intifadah* (Ahmad Yasin Testifies to the Era of the Intifadah), *Silsilat Kitab al-Jazira - Shahid ‘ala al-‘Asr* (2) (al-Jazira Book Series, Witness to an Era (2)) (Beirut: Arab Scientific Publishers and Dar Ibn Hazm, 2003), p. 253.

characterized as “scarcity,”<sup>8</sup> has some justifications, such as the lack of special intellectual experience and political experience, as well as preoccupation with the *Intifadah* and resistance and their implications. Before we delve into the issues of the research, I would like to note the following:

1. The lack of studies by Hamas on the topics of this research whether solely their own work or in collaboration with others. What we found was of the generalist type, or focused on historical events and developments.
2. The Hamas charter has not discussed directly or in detail Hamas’s political vision, and was dominated by a generalist moral vision without a specific political vision.
3. The issues of democracy, pluralism, religion and state, patriotism, and secularism have not been given the same priority enjoyed by the resistance and the religious call within Hamas. When Yasir ‘Arafat created the Palestinian Authority (PA) after the Oslo Accords, this did not prompt Hamas to engage in politics or build its own theory.
4. The nature of the conflict with the occupation, and Hamas’s preoccupation with its issues, outcomes, and implications, combined with the absence of any hope for the imminent creation of the Palestinian state, meant that these issues took a back seat.
5. Hamas does not represent a special ideological trend in its understanding of democracy. Instead, its understanding is part of the overall Islamic understanding of democracy, in line with the prevailing ideas of Islamist thinkers, calling for flexibility and engagement with others and other democratic countries.
6. Hamas’s practical record was a useful source for this study, especially as regards its participation in the elections and the cabinet in 2006, in addition to the Palestinian Basic Law upon which Hamas’s experience in power was based.
7. It is important to point out that Palestinians have had no state since 1948. The PA failed to build state institutions, and a constitution and laws regulating political life must be prepared comprehensively. The PA focused on pushing back the occupation and its aggression, while trying to address the daily needs of government.

### ***Second: Religion and State***

Hamas is no different from the MB movement in its vision of the state, its function, and the necessity of establishing it. The state in the Islamic ideology is a “necessary instrument” for the implementation of Shari‘ah (Islamic Law), safeguarding faith,

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<sup>8</sup> Khaled Hroub, *Hamas: al-Fikr wa al-Mumarasah al-Siyasiyyah* (Hamas: Political Thought and Practice) (Beirut: Institute for Palestine Studies, 1996), p. 275.

achieving the interests of society, and managing the affairs of citizens. Because of this, and given—as Rashid Ghannushi said<sup>9</sup>—the “state’s indispensability to society,” Hamas made resistance against the occupation, self-determination, and the establishment of the Palestinian state its primary advocacy and political goals.

Hamas calls for the establishment of an “Islamic” state, but not a “religious” state or a theocracy. In this regard, Hamas refuses the separation of religion from state, and sees it as a Western idea, stemming from a particular experience that has nothing to do with the Arab and Muslim environment.

Instead, Hamas calls for a comprehensive integration of politics and religion, in line with the approach of Hasan al-Banna who said, “Governance in the books of *fiqh* [jurisprudence] is classed under doctrinal beliefs and fundamentals, not secondary jurisprudence branches. Indeed, Islam is ruling and implementation, legislation and education, and law and judiciary, none is separable from the other.”<sup>10</sup>

Hamas thus affirms that polity is part of religion, and Hamas leader Ibrahim al-Maqadmah, considered the political position as tantamount to a *fatwa* (a religious ruling issued by a Muslim scholar) in one way or another.<sup>11</sup> Maqadmah called on Muslim scholars to become involved in politics, telling them that they are more deserving of political work, because they understand religion and the interests of the *Ummah* (the Nation).<sup>12</sup> Maqadmah’s appeal stems from a special Palestinian-Arab experience, where liberals and leftists monopolized power for many decades. The criticism by Hamas and the MB movement of Arab governments is that they have not done their duty to safeguard Islam and implement its provisions as required by Shari‘ah, while not realizing dignity, development and progress for the *Ummah*.

Palestine is not a state, it is an Authority without real sovereignty. It is less than a state. Therefore, Hamas has criticized the PA and the Arab states, since it is keen to establish a sovereign Palestinian state, which would fulfill its responsibilities set by Islamist principles, without the intervention of Israel or any other state.

Rejecting the separation of religion and state, and adopting the principle of integrating them, does not mean that Hamas calls for a theocracy in Palestine. To be

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<sup>9</sup> Rashid al-Ghannushi, *al-Hurriyyat al-‘Ammah fi al-Dawlah al-Islamiyyah* (Public Freedom in the Islamic State) (Beirut, Centre for Arab Unity Studies, 1993), vol. 1, p. 146.

<sup>10</sup> Hasan al-Banna, *Majmu‘at Rasa’il al-Imam al-Banna* (The Collected Epistles of Imam al-Banna), *Silsilat min Turath al-Imam al-Banna* (15) (Imam al-Banna Legacy Series (15)), 2nd ed. (Giza: Al-Basa’ir li al-Buhuth wa al-Dirasat, 2010), p. 351. Banna also said, “We believe that the rulings of Islam and its teachings are comprehensive in managing the affairs of people in this life and the hereafter,... Islam is creed and worship, a homeland and a nationality, a religion and a state, a book and a sword, and the Quran states all of this,” *Majmu‘at Rasa’il al-Imam al-Banna*, p. 330.

<sup>11</sup> Ibrahim al-Maqadmah, Public Opinion in the Muslim Society: Scholars and Rulers, *Al-Risalah* newspaper, Gaza, 26/2/1998. (in Arabic) Ibrahim Ahmad Khalid al-Maqadmah (1952–2003), a Hamas leader in the Gaza Strip, member of Hamas politburo, medical doctor, a thinker and a caller to Islam, who was assassinated by the Israeli planes in 8/3/2003.

<sup>12</sup> Ibrahim al-Maqadmah, To the Scholars of Islam, *Al-Risalah*, 31/10/2003. (in Arabic)

sure, the Islamist ideology adopted by Hamas, rejects a “religious” state in that sense, and calls for a “civil” state with an Islamic frame of reference. Hamas refuses characterizing the Rightly-Guided Caliph state as being a theocracy.

The *Ummah* in Islamic thought is “the bedrock of sovereignty and power...and the state is authorized by this *Ummah* to exercise its jurisdictions and functions as mandated.”<sup>13</sup> This mandate prevents the state from bypassing established tenets of Islamic law. Meanwhile, rejection of the religious state has been pronounced repeatedly by leaders of the MB movement and Hamas leaders, such as ‘Abdul Qadir ‘Odeh, Hasan al-‘Ishmawi, and Ma’mun al-Hudaibi who have stated that there is no such thing as a religious state in Islam, which would claim to have a divine right to rule, or that it is infallible, though it nonetheless must adhere to Islamic principles. Thus, the *Ummah* can exercise its role in evaluation or impeachment.<sup>14</sup>

According to Jamal Mansur, a prominent Hamas leader, “There is no such thing in Islam as theocracy, which declares it represents the will of *Allah* on Earth....” The first Muslim caliph had clearly declared that he was under the law and the will of the *Ummah*, saying, “Obey me as long as I obey *Allah* with you, but if I disobey Him then I shall command no obedience from you.”<sup>15</sup>

### ***Third: The State, Constitution, and the Law***

In the civil state, the people are ruled by the law and the constitution, which represents the governing frame of reference for the law. They are both developed by the people, and are both subject to being amended and changed according to specific mechanisms and procedures in civil and democratic systems. The constitution and the law can be seen as the benchmark for the nature and identity of the state.

Hamas advances the slogan “[Pleasing] *Allah* is our purpose, the Qur’an is our constitution,” the same slogan that has been used by the MB movement since the days of Hasan al-Banna. However, Hamas do not say or mean that the slogan is an alternative to a constitution drafted by the people, and adopted by the people as a

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<sup>13</sup> Muhammad ‘Abdul-Fattah Futuh, *al-Dimuqratiyyah wa al-Shura fi al-Fikr al-Islami al-Mu‘asir: Dirasah fi Fikr al-Shaykh Muhammad al-Ghazali* (Democracy and Shura in Contemporary Islamic Thinking: A Study of the Thought of Sheikh Muhammad al-Ghazali) (Cairo: Shorouk International Bookshop, 2006) p. 34.

<sup>14</sup> Ma’mun al-Hudaibi in: Hazem al-Ashheb and Farid Ibrahim, *Misr Bayna al-Dawlah al-Diniyyah wa al-Madaniyyah* (Egypt Between the Religious and Civil State) (n.p.: Al-Dar al-Masriyyah li al-Nashr wa al-Tawzi‘, 1992), p. 49; See also ‘Abdul Qadir ‘Odeh, *al-Islam wa Awdauna al-Siyasiyyah* (Islam and Our Political Conditions), 9th ed. (Beirut: Resalah Publishers, 1997), pp. 101–102; See also Muhammad Salim al-‘Awwa, *Fi al-Nizam al-Siyasi li al-Dawlah al-Islamiyyah* (On the Political System of the Islamic State), 2nd ed. (Cairo: Dar El-Shorouk, 2006), p. 206. ‘Abdul Qadir ‘Odeh (1906–1954), Hasan Muhammad al-‘Ishmawi (1921–1972), and Muhammad Ma’mun Hasan al-Hudaibi (1921–2004) are all Muslim Brotherhood leaders in Egypt.

<sup>15</sup> Jamal Mansur, Palestinian Democratic Transformation, an Islamic Perspective, unpublished memo, Nablus, 1996, p. 9. (in Arabic) Jamal ‘Abdul Rahman Mansur was a Hamas leader in the West Bank who had been expelled to Marj al-Zuhur in 1992. He was assassinated by Israeli warplanes at his office in Nablus in 2001.

binding frame of reference to the system of governance and the law. The Qur'an does not need a referendum to be approved, but a constitution does. Hamas thus demanded what Hasan al-Banna and the MB movement has always demanded: For the Shari'ah to be the primary source of legislation.<sup>16</sup>

Hasan al-Banna made a distinction between the constitution and the law. He said that the constitution is the general system of governance that defines the boundaries of authority, the duties of rulers, and their relationship with the populace. The law regulates relationships among individuals, protects their moral and material rights, and holds them to account for their actions.<sup>17</sup>

Since there are several systems of governance, all man-made, Banna favored the "constitutional system of government," about which he said, "This is the closest system among existing systems in the world to Islam."<sup>18</sup> He explained this further by saying that when the researcher considers the principles of the constitutional system of governance; which are to maintain personal freedoms, consultations (*Shura*), derive power from the *Ummah*, and the responsibility of the rulers before the people, who can be held accountable for their actions; and the statement of the limits of each branch of power, he will soon realize that these are all equivalent to the teachings of Islam and its rules concerning the form of governance.<sup>19</sup> These rationales together form the basic principles and mechanisms of democracy.

Hamas's political ideology does not deviate from that of Hasan al-Banna in this regard. However, Hamas did not concern itself with the question of the constitution, and did not attempt to draft a constitution for the state. For one thing, the Palestinian state does not exist, and Hamas, like many other Palestinian factions, is preoccupied with liberation from the occupation and achieving self-determination. So not surprisingly, one can conclude that one of the main disadvantages of the legislative and legal status quo in the occupied Palestinian territories is the "absence of the constitutional reference represented in a constitution."<sup>20</sup>

The PA is less than a state. When it was established on limited parts of the occupied territories in 1994 under the Oslo Accords, the PA did not try to draft a constitution, and its rule was based on two things:

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<sup>16</sup> *Majmu'at Rasa'il al-Imam al-Banna*, p. 564.

<sup>17</sup> *Ibid.*, p. 355.

<sup>18</sup> *Ibid.*, p. 353.

<sup>19</sup> *Ibid.* In another part, he said, "Politics itself are not inconsistent with the constitutional system, and is its foundation as set forth in God's declaration," "Their (i.e. Muslims) affairs are conducted by consultation among them," *Surat Ash-Shura* (The Consultation): 38, <http://quran.com/42>

<sup>20</sup> Khaled Hroub, *Hamas: al-Fikr wa al-Mumarasah al-Siyasiyyah*, p. 24.

**First:** The interim Basic Law, defined by its preamble as follows:

This Basic Law has established a firm foundation, representing the collective conscience of our people, including its spiritual components, its national faith and its nationalist loyalty. The titles of the Basic Law include a group of modern constitutional rules and principles that address public and personal rights and liberties in a manner that achieves justice and equality for all, without discrimination. Further, they ensure the rule of law, strike a balance between the executive, legislative and judicial branches, and draw lines between their respective jurisdictions in a manner that ensures independence to each of them while coordinating their roles to achieve a high national interest that will serve as a guide to all.<sup>21</sup>

Article 4 of the law identified the relationship between religion and the state, and stated, “Islam is the official religion in Palestine. Respect for the sanctity of all other divine religions shall be maintained.” Article 5 identified the system of the governance, stating, “The governing system in Palestine shall be a democratic parliamentary system, based upon political and party pluralism. The President of the National Authority shall be directly elected by the people.” And in Article 6, the Basic Law established the rule of law, stating, “The principle of the rule of law shall be the basis of government in Palestine. All governmental powers, agencies, institutions and individuals shall be subject to the law.”<sup>22</sup>

Jamal Mansur saw that the Basic Law contained a reasonable balance. Despite some reservations, Mansur said the Basic Law was an acceptable basis for a political system that covers most of the requirements of democracy.<sup>23</sup> After winning in the 2006 elections and presiding over the tenth government, Hamas adhered to the Basic Law, and continues to respect it despite the Palestinian division.

Jamal Mansur defines the state of law as, “the state where the actions and affairs of government are subject to specific rules and regulations.”<sup>24</sup> Mansur has also said, “The rule of law is an acceptable principle that is in line with the spirit of Islam.”<sup>25</sup> This definition is actually based on a realistic experience in Palestine that saw serious violations of the Basic Law by the Executive Branch.

**Second:** The rule through the notion of historical leadership and personal charisma of the leader. This patriarchal society was criticized by the well-known scholar Hisham Sharabi, who said that power there is in the hands of a few men who speak

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<sup>21</sup> 2003 Amended Basic Law, Introduction, site of The Palestinian Basic Law, <http://www.palestinianbasiclaw.org/basic-law/2003-amended-basic-law>

<sup>22</sup> *Ibid.*, Articles 2 and 5.

<sup>23</sup> Jamal Mansur, *op. cit.*, p. 24.

<sup>24</sup> *Ibid.*, p. 9.

<sup>25</sup> *Ibid.*



on behalf of the people but not to the people, and who believe that they are infallible.<sup>26</sup>

Such a rule is considered a clear violation of the rule of law and the concept of democracy. It is a good recipe for tyranny. For this reason, Hamas called for the rule of law, and for making it binding for both rulers and the ruled.<sup>27</sup> Hamas's attitude led it to conflict and divergence with the ruling PA.

#### ***Fourth: Hamas and Nationalism***

The notion of Hamas and the MB movement of nationalism is in complete harmony with that of religion. For these movements, religious dimensions supersede other dimensions championed in the patriotic and nationalistic ideas of Europe in the Renaissance. It also seems that the notion of nationalism did not carry specific connotations even for those who advocated it in the Arab world in the early modern era, some of whom presented the idea as an alternative to pan-Islamism, the broader concept championed by the MB movement.

Hasan al-Banna, in a comparison between the nationalists' notion of nationalism and the MB's notion of nationalism, says:

If the advocates of patriotism mean love for one's homeland, attachment to it and sentiment and affection towards it, it is something anchored in the very nature of the soul, for one thing; it is prescribed by Islam.... Or if they mean that it is necessary to make every effort to free the land from its [usurpers], to defend its independence, and to instill the principles of freedom and greatness in the souls of its people then we are with them in this too. For Islam has greatly stressed this... Or if they mean by 'patriotism' to reinforce the bonds which unite individuals within a given country, and to show them a way of utilizing this reinforcement for their best interests then we also in agree with them on this. For Islam regards this as a necessary religious duty... However if they mean by 'patriotism' the division of the nation into parties which engage in mutual throat cutting, hatred and reprehension, hurling accusations at one another, ... This type of patriotism is a forged one, which does no good, neither for its advocates nor for people in general.<sup>28</sup>

With the absence of an accurate definition of the concept of nationalism during that early period that saw the rise of nationalism and the decline of the pan-Islamic bond, Hasan al-Banna made a distinction between two kinds of nationalism, one real and one false. Banna analyzed false nationalism through what actually happened in Egypt and other Arab countries in that period, where nationalism meant fervor for the individual country, and dividing the *Ummah* into rival factions. False

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<sup>26</sup> See Khaled Hroub, *Hamas: al-Fikr wa al-Mumarah al-Siyasiyah*, p. 18.

<sup>27</sup> Jamal Mansur, op. cit., p. 9.

<sup>28</sup> Hasan al-Banna, Our Message, site of Young Muslims,  
[http://web.youngmuslims.ca/online\\_library/books/our\\_message/](http://web.youngmuslims.ca/online_library/books/our_message/)

nationalism for Hamas and the MB movement is that divisive nationalism that was not known to the Arab and Muslim world, and which came with colonialism and the rise of materialism, nationalism, and geographic divisions in Europe.

Advocates of nationalism, with its narrow geographical connotation, had indirectly helped revive the Islamic bond from under the rubble, to supplement the idea of nationalism with Islamic concepts based on faith, while ignoring geography, ethnicity, and the divisions of the Sykes-Picot Agreement, which nationalism advocates had accepted. Hasan al-Banna says, “The Muslim national horizon widened, transcending the geographical national borders and blood-based nationalism, to the nationalism of noble principles and correct beliefs.”<sup>29</sup>

Hamas, in its understanding of nationalism, does not deviate from what the founder Hasan al-Banna said. Its charter states, “Nationalism, from the point of view of the Islamic Resistance Movement, is part and parcel of religious ideology...If other nationalisms have material, humanistic, and geographical ties, then the Islamic Resistance Movement’s nationalism has all of that, and, more important, divine reasons providing it with life and spirit.”<sup>30</sup>

The concept in Hamas and the MB movement of nationalism, on one hand, is based mainly on faith, noble principles, and rejecting factionalism, and on the other hand, it is based on the notion of the “joint defense” of the Arab and Muslim world and the protection of its rights and interests, as if it is a religious duty. Hasan al-Banna, speaking on the idea of the Islamic homeland, wrote, “The preservation of every inch of the land is an Islamic duty that God shall hold us accountable for.”<sup>31</sup> Banna also wrote, “For every region in which there is a Muslim saying: ‘There is no God but Allah, and Muhammad is the Messenger of Allah.’, is our homeland, inviolable and sacred, demanding love, sincerity, and sincere effort for the sake of its welfare.”<sup>32</sup>

It is obvious that Hamas would accept and welcome this notion, when there is a negative discrepancy between theory and implementation in the Arab reality. For this reason, Hamas made it part of its charter, because Palestine would benefit the most from it. Hamas stated, “There is not a higher peak in nationalism or depth in devotion than Jihad when an enemy lands on the Muslim territories. Fighting the enemy becomes the individual obligation of every Muslim man and woman.”<sup>33</sup>

The idea of liberation is a third dimension in Hamas’s understanding of nationalism, a dimension closely linked to the previous two (faith and joint defense). Sheikh Ahmad Yasin said, “Since our homeland is under occupation, we want to liberate it.

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<sup>29</sup> *Majmu‘at Rasa’il al-Imam al-Banna*, p. 65.

<sup>30</sup> Charter of Hamas, Article 12.

<sup>31</sup> *Majmu‘at Rasa’il al-Imam al-Banna*, p. 132.

<sup>32</sup> Hasan al-Banna, *Our Message*.

<sup>33</sup> Charter of Hamas, Article 12.