



# **From Terrorism to Politics**

**Anisseh Van Engeland**  
*and*  
**Rachael M. Rudolph**

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# From Terrorism to Politics

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and

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ASHGATE

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# Foreword

The aim of this book is to explain through a series of comparative case studies how ‘terrorist’ organizations become political parties. Each chapter is devoted to a movement using political violence whose story is illustrative of a step of this evolution from a ‘terrorist’ group to a political party. Each case is different and there is no solution for a transformation as such. There are, however, similar characteristics among those groups who have made the transition. An emphasis will be put on these common trends, such as the existence of a political platform in the cases of Hamas, Hezbollah, the ANC and IRA/Sinn Féin. These movements will be studied in contrast to other groups that have a so-called political programme but are destructive, like Al Qaeda: these movements are nihilist groups and do not present the characteristics that could turn them from terrorist organizations into legitimate political actors.

The book wishes to demonstrate and explicate the process of becoming a legitimate political force. A comparative approach is therefore necessary, keeping in mind, however, that each group was created within its own context, which results in differing stories and methods. For example, Hamas and Hezbollah were successful through the development of social networks within civil society while others, such as the IRA, were successful through disarmament. In addition, we seek to examine the failures, such as the attempt of the Union Patriótica (UP), the political party linked to FARC, to assert itself as a political party. Finally, it is necessary to examine groups that have become a political force or have a political influence without relinquishing the use of violence.

Some groups have been able to perform a full transformation to political party despite their amazing record of violence. The ones that were successful in this ‘makeover’ were usually groups that had a political platform, such as Hezbollah, the African National Congress (ANC), Hamas and IRA/Sinn Féin. Some groups preferred to have an influence over politics without creating a political party, thus keeping their terrorist line (the Palestinian movements, ETA and the IRA). While other groups were successful in their transformation, other attempts failed, as FARC’s experience demonstrates. Finally, there are terrorist nihilist groups that simply cannot integrate into the political process.

The approach of the book is innovative: the conversion of terrorist groups into political groups has hardly been analysed or studied because there is puzzlement among scholars as to how such moves have progressed. The ANC in South Africa was the first to make the transition whereby a former ‘terrorist’, Nelson Mandela, became one of the most loved leaders in the world. This process needs to be analysed in order to encourage other groups to relinquish violent and extremist methods. It is also essential to explain the process of transformation so as to encourage governments to open the political space to these atypical parties. An example of such an unsuccessful opening to these new types of political parties was that in Colombia, where the failure of the political party Union Patriótica was caused not only by the

blurred origin and mission of the party but also by an intolerant government that buried many hopes for peace. Moreover, lack of recognition by the international community of groups who make the transition could result in them giving up on the democratic process and thus resorting once again to violence.

Another reason for the lack of scholarship on the topic is that scholars do not believe terrorist groups can be redeemed, despite the example of the ANC. However, the failure of FARC to insert itself into the national political game demonstrates that there are limits to this process of (re-)integration into political life; therefore it is essential to study in depth why some movements made it and others failed.

It is also very important to understand how well-established democracies react to this phenomenon. For example, the US still considers Hezbollah to be a terrorist group (it was put back on the national terrorist list after 9/11) while the EU considers it to be a political party. Moreover, the states of the Middle East and Central Asia view Hamas as a political party and liberation organization rather than a terrorist organization. The attitude of Western governments does indeed affect the success or failure of the newly transformed group. Therefore, it is necessary to analyse the history of these groups in order to understand how two legitimated groups were elected fairly and according to democratic rules but were rejected by Western and (sometimes) local powers. The legitimacy given by the international community is important in the groups' overall political success. One explanation for the rejection of the West could be the Hitlerian shadow of 1933 – the memory that Hitler came legally to power, using the democratic system. This study will therefore propel the question of what political pluralism means and entails in the context of the aftermath of 11 September 2001. In this spirit, it will analyse the reactions post-9/11 regarding the emergence of atypical political parties and how they question the legitimacy, interests and motivations behind the transformations.

The book will also be a presentation of how terrorist groups see the world in which they live; how they perceive their role; how they wish to change the society in which they live; and what contribution they think they can make to this world, other than using violence. Much of the recent literature fails to examine the world through the milieu of those who are actually engaged in the political violence deemed to be terrorism. This is problematic in the sense that states cannot expect to prevent groups from resorting to violence if they do not understand the milieu through which these individuals and groups are operating. Therefore, this book seeks to examine the process 'through their eyes'; that is, how the political world is and why it is valuable to participate in politics. The authors will raise further questions, attempting to identify the interests of these groups in making the transition into political groups and asking whether these changes can be permanent. The book will also raise the issue of disarmament: can a political group have an armed branch and maintain its stance as a political party, or is disarmament necessary? Does the group really have an interest in disarming? Finally, where is the group going to gain legitimacy if it has no possibility of threatening the world or leading impressive parades and actions?

We will also analyse political legitimization strategies, which are necessary for the transition from violent opposition organization to political party. Successful groups such as Hamas and Hezbollah gained legitimacy within civil society, which was achieved largely through the development of communal and international networks.

These networks supported not only the victims of wars but also segments of the populations that the governing authorities of Lebanon and Palestine were unable to provide for. Others, such as the ANC, were perceived as leading a just war, which raises the issue of self-determination and legitimacy of the use of force. It will then be essential to look at the failure of FARC and the almost-failure of the IRA/Sinn Féin to reconvert due to a lack of legitimacy within their respective societies and their very dubious pasts; their recent actions looked more like criminal acts than any kind of self-determination struggle. Legitimacy and how it is obtained are important criteria in the transition from violent organization to political party.

A comparative case study approach will enable us to understand what similarities and differences exist in the process of politicization, as violent groups have indeed different stances regarding not only the use of violence but disarmament, and we also examine the role of politics, social actions and political programmes. In the end, however, groups with differing strategies and stories have successfully made the transition from violent opposition to legitimate political parties. These groups share common grounds such as the role played in civil society and the need to be acknowledged by people as a political party; that is, in the need for legitimacy. We will also discover that most of the groups turned political following a survival strategy; that is, the movements reached a point in history when the use of political violence was even less welcome than usual.

Anissh Van Engeland

Rachael Rudolph

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*To Frank Boas*  
*To My Family*

# Introduction: The Transition Process

Rachael M. Rudolph<sup>1</sup>

There has been an increase in participation of resistance movements in the political process. At the heart of their participation and this phenomenon in particular is the democratization process. Embedded in democratization are authoritarian breakdown, democratic transition and democratic consolidation.<sup>2</sup> Democratic consolidation is an analytically differentiated aspect of the process of democratization. The processes of transition and consolidation overlap and sometimes coincide, but they are conceptually distinct.

Transition to democracy is concerned with the installation of democratic institutions, whereas consolidation is concerned with making democratic institutions enduring and functional and connecting them to civil society. Neither of the two processes, according to O'Donnell and Schmitter, is linear in nature.<sup>3</sup> Thus, transition and consolidation must be studied separately but concurrently. Studies of transition emphasize factors such as the absence of a strong middle class, the prevalence of an authoritarian political culture, economic dependency, and the role of political elites. Consequently, the transition process becomes the product of strategic calculation by political elites. It makes it a 'volunteeristic' understanding of democracy. As this book demonstrates, however, factors influencing transition are not just limited to the aforementioned but encompass all political actors connected to society, including violent and non-violent resistance groups.

This book demonstrates that volunteerism is heavily dependent on the political and social interactions of all political actors and not just the political elite; and, largely, that the ultimate decision is effected by the public call for political participation. It therefore reinforces scholars of consolidation who emphasize the constraints socio-economic structures and political institutions and historical context place on the choices political actors make; that is, how choice interacts with context in the democratization process. Finally, this book attempts to articulate a theory of transition of resistance movements to political parties, which is separate but a concurrent part of the transition to and consolidation of democracy.

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1 With special thanks to the blind reviewer for Ashgate, my family and friends for their valuable assistance with this project.

2 Encarnacion, Omar G. (2000). 'Review: Beyond Transitions: The Politics of Democratic Consolidation', *Comparative Politics*, 32, 4.

3 O'Donnell, Guillermo and Philippe Schmitter (1986), *Tentative Conclusions about Uncertain Democracies* (Baltimore: The Johns Hopkins University Press).



## Theories of Transition

What political factors and conditions guarantee the surest and safest path toward the consolidation of systematic transitions to democracy? At stake in transitions is the creation of a new political and socio-economic order, intense struggles over economic resources, and the emergent institutional infrastructure of new democracies that engage all the major domestic and international political actors.<sup>4</sup> Transitions are important for the stability and survivability of both states and actors participating in the democratization process. Therefore, understanding the political and socio-economic factors that aid transitions is important.

Through a review of the existing literature on transitions, Encarnacion identifies three theoretical trends in understanding the political factors that determine the success or failure of attempts at dual transitions. Dual transitions refer to states that simultaneously adopt democratic political and liberal economic institutions and policies.<sup>5</sup> The first theoretical trend posits the importance of sequencing political and economic reforms, with priority going to the task of consolidating the new democracy. The second trend posits the relevance of a technocratic policy-making style that emphasizes a consultative approach to the formulation and implementation of economic reform involving state, capital, and labour. The last theoretical trend in understanding the political factors that determine the success or failure of transitions posits that the development of institutions, especially intermediate arrangements linking state and civil society, facilitate a favourable environment for social interaction and negotiation.<sup>6</sup>

Unfortunately, studies on the democratization process over-emphasize the socio-economic argument. For example, Acemoglu and Robinson argue that regime changes are more likely during recessionary periods because costs of political turmoil to the rich and poor are lower during such episodes.<sup>7</sup> Haggard and Kaufman argue that transitions in Latin America occurred during times of economic crises.<sup>8</sup> They also argue that socio-economic structure is crucial to identifying politically relevant groups and their policy preferences and in understanding political alignments and conflicts.<sup>9</sup> While Haggard and Kaufman are concerned with the mediating role played by representative institutions in general and political parties in particular in shaping policies, they argue that institutional landscapes are important in determining policy preferences, choices, and outcomes in transition societies.<sup>10</sup>

Economic-oriented explanations have a tendency to emphasize the absence of state bureaucratic capacities and the strength of traditional modes of political

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4 Encarnacion, Omar G. (1996). 'Review: The Politics of Dual Transitions', *Comparative Politics*, 28, 4.

5 Encarnacion *supra* note 4.

6 *Id.*

7 Acemoglu, Daron and James A. Robinson (2001), 'A Theory of Political Transitions', *The American Economic Review*, 91, 4.

8 Haggard, Stephan and Robert R. Kaufman (1995), *The Political Economy of Democratic Transitions* (Princeton: Princeton University Press).

9 Haggard and Kaufman, *supra* note 8.

10 *Id.*

interaction, such as clientelism and the inhibition of governments on carrying out unpopular privatization programmes and other economic policies aimed at enhancing the market economy.<sup>11</sup> Breaking away from the traditional socio-economic arguments regarding transitions, scholars such as Guillermo O'Donnell and Philippe Schmitter emphasize political elites as the central protagonists in transitions to and consolidation of democratic regimes.<sup>12</sup> Haggard and Webb argue that the establishment of credibility of reform and the institutionalization of its gains requires building support for the political programme through the party system and with the electorate at large.<sup>13</sup> Przeworski takes this further by arguing that consolidation is dependent on self-interested, spontaneous compliance that emanates from political actors who come to view democracy as serving long-term economic needs.<sup>14</sup> He also advances policy prescriptions for successful reform in consolidating democracies. This approach, according to Encarnacion, is called social democratic because it recommends consultation with representational institutions and compensation and incentives for those social groups most directly affected by reform.

The consultative style of policy-making, broadly conceptualized as 'concertation', is viewed as ideally suited for democratizing societies. In discussing policy-making styles, Pereira, Maravall and Przeworski posit that out of all the styles available to politicians, concertation is the best. It will not only improve reform but will also build political bases of support for the particular reform strategy. Politically, concertation is credited with unifying fragmented national elite.<sup>15</sup> It also assists in the construction of democratic institutions, most notably by facilitating the cross-class consensus.<sup>16</sup> As Argentina demonstrates, there are high political costs associated with policy-making styles that are secretive and fail to incorporate civil society into the process.<sup>17</sup>

Theorizing about concertation, according to Encarnacion, is incomplete. Pereira, Maravall and Przeworski demonstrate its usefulness as a policy mechanism but they do not examine why this style is possible. It is assumed that political actors, out of their own volition and appreciation of political democracy, will enter into bargains and compromises with one another.<sup>18</sup> The institutional framework thought to be ideal for concertation is a hierarchical structure.<sup>19</sup> The organizational strength of

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11 Encarnacion *supra* note 4.

12 O'Donnell, Guillermo, Philippe Schmitter and Laurence Whitehead (eds) (1986), *Transitions from Authoritarian Rule: Prospects for Democracy*. (Baltimore: The Johns Hopkins Press).

13 O'Donnell et al. *supra* note 12.

14 Przeworski, Adam (1991), *Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin American* (Cambridge: Cambridge University Press). Cited in Encarnacion *supra* note 4.

15 Pereira, Luiz Carlos Bresser, Jose Maria Maravall and Adam Przeworski (1992), *Economic Reform in New Democracies: A Social Democratic Approach* (Cambridge: Cambridge University Press).

16 *Id.*

17 Encarnacion *supra* note 4.

18 *Id.*

19 Haggard and Kaufman *supra* note 8.

bargaining partners enhances cooperation; the higher the degree of centralization the higher the likelihood of concertation.<sup>20</sup> Lange, however, suggests that centralized bargaining might actually be the outcome rather than the cause of concertation, as centralization actually took place at the time of the creation and adoption of concertation institutions and practices.<sup>21</sup> Prior to bargaining, practices, according to Encarnacion, were decentralized. Concertation is actually facilitated by the prevalence of a significant degree of institutionalized interaction between the representatives of state organizations and the most powerful socio-political non-state actors.<sup>22</sup>

The cases herein reify democratization scholars. First, they demonstrate that socio-economic institutions are important to the transition process. The rise of and popular support for many of these groups is due to the socio-economic situation in the societies in which they live. Second, the cases demonstrate that political actors' participation in the transition process is important. Without their participation, democratization and later consolidation would be unstable. Finally, the cases demonstrate that policy-making styles such as concertation are prevalent among the groups, which is a style that is conducive to the democratization and consolidation process. This book, however, adds to the literature in the sense that the transition of opposition groups to political parties must be studied as a separate but concurrent part of the transition process to democracy. It is a process in its own right and this book seeks to identify generalizable characteristics that enable the transition to a political party. The inclusion and participation of opposition actors, of resistance groups, is important to both the democratization and consolidation process.

## Democratic Consolidation

Scholars of democratic consolidation emphasize the constraints on socio-economic structures, political institutions and historical context on the choices political actors make;<sup>23</sup> that is, how choice interacts with context in the democratization process. Democratic consolidation is when all politically significant groups regard its key political institutions as the only legitimate framework for political contestation and adhere to democratic rules of the game. The existing political institutions are regarded as acceptable and without legitimate alternatives; and, all politically significant groups respect and adhere to a specific set of norms.<sup>24</sup>

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20 Wilensky, Harold (1976), *The 'New Corporatism,' Centralization, and the Welfare State* (Beverly Hills: Sage).

21 Lange, Peter (1987), 'The Institutionalization of Concertation', *Working Paper 26*, Duke University Program in International Political Economy. Cited in Encarnacion *supra* note 4.

22 Encarnacion *supra* note 4.

23 Encarnacion *supra* note 4.

24 Encarnacion *supra* note 2; Gunther, Richard, P. Nikiforos Diamandourous and Hans-Jürgen Puhle (eds) (1995), *The Politics of Democratic Consolidation: Southern Europe in Comparative Perspective* (Baltimore: The Johns Hopkins University Press); Mainwaring, Scott and Timothy Scully (eds) (1995), *Building Democratic Institutions: Party Systems in Latin America* (Stanford: Stanford University Press.); Buchannon, Paul G. (1995), *State,*

Gunther, Diamandorous and Puhle posit that democratic consolidation rests on the adoption of democratic institutions, processes, and values by the political class and the masses.<sup>25</sup> Mainwaring and Scully argue that the institutionalization of political organizations in the party system is critical to consolidation.<sup>26</sup> Morlino argues that crises and intermediary institutions such as parties and organized interests inform an understanding of democratic consolidation. Democratic consolidation, he argues, is anchored in consensus and legitimation, party system and party organization, and the relationships of organized and unorganized interest groups to parties and the state.<sup>27</sup> Democratic transition and consolidation should be examined or thought of in developmental terms, according to Richard Sklar and Larry Diamond.<sup>28</sup> This is because all systems evolve over time in fragments or parts.

Given that democratic consolidation is concerned with making democratic institutions both enduring and functional and connecting them to civil society, the transition of opposition groups, violent and non-violent groups in particular, to political parties are an important phenomenon to the process. As the cases herein demonstrate, these quasi-political actors are concerned with change in the governing institution of society in which they are part. They are widely connected to the masses and form part of civil society. Their participation in civil society and desire for participation within the governance system demonstrates that they regard political institutions as the only legitimate framework for political contestation and adherence to the democratic rules of the game. Therefore, the participation of both violent and non-violent opposition groups in the political system should be regarded as a positive phenomenon that can only lead later to democratic consolidation, after the state's transition to democracy.

## Political Parties

The development and formation of political parties and the political space for them to participate are important for the transition process to and consolidation of democracy.<sup>29</sup> As the aforementioned literature demonstrates, explanations of transition and survival have emphasized socio-economic and cultural factors, thereby overlooking the institutional effects of inclusive and competitive political parties.

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*Labor, Capital: Democratizing Class Relations in the Southern Cone* (Pittsburgh: University of Pittsburgh Press); Jelin, Elizabeth and Eric Hershberg (eds) (1996), *Constructing Democracy: Human Rights, Citizenship and Society in Latin America* (Boulder: Westview Press); and Morlino, Leonardo (1998), *Democracy between Consolidation and Crisis: Parties, Groups and Citizens in Southern Europe*. (New York: Oxford University Press).

25 *Supra* note 23.

26 *Id.*

27 *Id.*

28 Sklar, Richard (1987), 'Developmental Democracy', *Contemporary Studies in Society and History*, 29.

29 Lai, Brian and Ruth Melkonian-Hoover (2005), 'Democratic Process and Regress: The Effect of Political Parties on the Transition of States to and Away from Democracy', *Political Research Quarterly* 58, 4.

Studies that do incorporate parties have, more often than not, done so for the purpose of demonstrating their negative impact on democratization.<sup>30</sup> Parties, however, do play a fundamental role in democratization, as they function as an intermediary between the state and civil society.<sup>31</sup>

Juan Linz and Alfred Stepan posit that political parties are vital in the development of norms and procedures of democratic conflict-regulation, as the ability to contest the ruling party reinforces norms of peaceful alteration of power.<sup>32</sup> Nancy Bermeo posits that parties are ultimately the institutions that influence democratic compromise.<sup>33</sup> Likewise, Michael Coppedge posits that, in addition to providing a means for the peaceful transfer of power, parties also facilitate adaptation and compromise.<sup>34</sup> Parties can act as necessary checks, assure the representation of civil society, and increase civic participation.<sup>35</sup> In examining the effect of political parties on the transition to and survival of democracies empirically, Lai and Melkonian-Hoover find that political parties are important in facilitating the transition to and survival of democracy; that the inclusion of parties in the system and the existence of competition can help authoritarian states make the transition to democracy; that party inclusion by itself does not lead to a transition but it is essential for survivability; and that the exclusion of parties negatively effects the quality and sustainability.<sup>36</sup>

If political parties are significant in the transition to and survivability of democracies, are resistance movements also positively significant to the transition process? As noted by Lai and Melkonian-Hoover, existing research examining the role of opposition groups on democratic transitions does so with a preconceived bias of a negative relationship; that is, research has more often than not automatically assumed a negative relationship between the existence of opposition groups on the transition process or in democratic consolidation. The problem with this negative assumption is that if political parties are examined historically, it would be found that most have emerged from some pre-existing opposition movements, which may or may not have a violent past.

While the studies in this book do not seek to examine the effect of political parties on democratic transition, they do seek to examine that which enables opposition, particularly violent opposition, to make the transition to a political party, which thus influences states overall transition to or consolidation of democracy. The democratization and democratic consolidation literature does not examine this phenomenon. By identifying common characteristics shared by resistance or opposition groups, a theory of transition can begin to be postulated. After empirical testing, this phenomenon can then be studied for its effects on the overall democratic transition and consolidation processes.

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30 Mishler, William and Richard Rose (1997), 'Trust, Distrust and Skepticism: Popular Evaluations of Civil and Political Institutions in Post-Communist Societies,' *Journal of Politics*, 59, 2.

31 Lai et al. *supra* note 28.

32 *Id.*

33 *Id.*

34 *Id.*

35 *Id.*

36 Lai et al. *supra* note 28.

## **The Transition Process from Resistance to Political Party**

The transition of resistance movements to political parties is nothing new, but existing literature examines each group individually rather than comparatively and globally. Existing literature on the transition process of resistance movements to political parties seeks to examine the individual transition process and does not attempt to theorize those particular characteristics that are needed generally, irrespective of temporal and spatial limitations. Herein, groups are also examined individually in order to identify shared characteristics in their process of transition. In so doing, it allows for the building of a theory of transition of resistance movements to political parties inductively. It is only through the latter that we can begin to put forward a theory on the transition process.

This book is a descriptive account of the dynamics of transition of resistance movements to political parties. Little attention is devoted to the construction of a succinct theoretical framework that links all the variables identified for a successful and failed transition of groups to political parties. Nevertheless, generalizable theoretical assumptions regarding the conditions underpinning the aforementioned transitions are made based on that which the individual descriptive cases have in common. These assumptions require further empirical testing such as through regression or structural equation modelling. Given the qualitative nature of the variables, the latter – structural equation modelling – would be a more ideal technique to utilize for theory-testing.

The examination of the transition process of movements engaged in violent and non-violent acts to political parties included those who made the successful transition; those who failed after making the transition; those who have the potential to make the transition; and, finally, those who are not capable of making the transition. A successful transition is one defined by taking part and winning seats in the governing authority. The groups who made a successful transition include: the African National Congress (ANC), Hezbollah, Sinn Fein, Batasuna, the Islamic Resistance Movement in Palestine (Hamas), the Islamic Salvation Front (FIS), Union Patriótica (UP) and the Moro National Liberation Front (MNLF). A transition failure is defined as one in which the group is prohibited from governing. Of the aforementioned groups, three of them experienced a transition failure. They include Batasuna, FIS and UP. The discovery of common characteristics will enable the identification of variables that need to be fostered by other movements that seek to make the transition or prevent a failure.

In order to determine whether other groups have the potential, this book examined the Islamic Jihad Movement in Palestine (PIJ), the Moro Islamic Liberation Front (MILF), the Irish Republican Army (IRA), the Euskadi Ta Askatasuna (ETA), the Fuerzas Armadas Revolucionarias de Columbia (FARC), the Abu Sayyaf Group (ASG), and Al Qaeda. In particular, it sought to examine what characteristics these groups possessed to enable them to make a future transition, if at all. The common characteristics identified in the successful groups include: political will, political ideology and programme, organization and leadership structure, policies, and recognition. Of the seven groups examined to determine whether they have the

potential, it was determined that the PIJ and the MILF do, whereas the IRA, ETA, FARC, ASG and Al Qaeda lack the capacity at this time.

While the aforementioned common characteristics could be identified, each group's political development differed temporally and spatially. In order to understand successful, failed, and potential transitions, each characteristic must be defined conceptually and their relation explained. Political will is:

... [t]o want participation in the life of state, in political power, [which] means to want to take possession of and possess your absolute property. The purpose of forming the Will of man is to elevate him from the state of being a political animal, which possess Reason, to the state of having a political personality with strong political Will. To possess himself as a political personality – this is the highest determination of Man; it is the richest and the deepest one to which he advances in his development. People are predestined to know and possess themselves as free ones, to have the energy to take care of their own interests, of their own purposes in a world of political Freedom. Politics is the supreme form in which the speculative Rational Will demonstrates itself because it is the definite way of its self-cognition, self-possession and self-ruling.<sup>37</sup>

Political will was identified operationally by whether or not the groups expressed their will to participate in the governance system. It was hypothesized that without it, regardless of the other characteristics, a group would not make the transition.

Political ideology is a certain set of norms or ideas about the world in which one lives and directs how one should therein behave. Ideology is, according to Martin Seliger, a 'sets of ideas by which men [*sic*] posit, explain and justify ends and means of organised social action, and specifically political action, irrespective of whether such action aims to preserve, amend, uproot or rebuild a given social order'.<sup>38</sup> Political ideology was identified operationally by whether the groups had a particular set of ideas that posit, explain and justify their ends and means of political action. It was hypothesized that a group must possess a political ideology in order to make the transition.

If political ideology is the set of ideas for political action, then the political programme is the document upon which the set of ideas are articulated.<sup>39</sup> Political programmes were identified operationally by examining whether groups possessed a specific document. It was hypothesized that the possession of a political programme would enable transition. In addition to enabling transition, it was further hypothesized that both political ideologies and programmes were important for unity. Unity is important because it is necessary to avoid fragmentation within the group.

Organization and leadership structure refers to the degree and type of structure through which individuals cooperate and make decisions regarding behaviour.<sup>40</sup> The

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37 Stojanow, J. (2001), *On The Absolute Rational Will* (online book). Available at: <<http://www.jgora.dialog.net.pl/OnTheAbsoluteRationalWill/>>.

38 Eagleton, T. (1994), *Ideology* (Longman Critical Readers series) (London: Longman).

39 Eliasoph, N. (1996), 'Making a Fragile Public: A Talk-Centered Study of Citizenship and Power,' *Sociological Theory*, 14:3, 262–89.

40 Lowin, A., Hrapchak, W. and Kavanagh, M. (1969), 'Consideration and Initiating Structure: An Experimental Investigation of Leadership Traits', *Administrative Science*

degree and type of structure were identified operationally by examining each group's structure of cooperation and decision-making apparatus. It was hypothesized that organizational and leadership structure mattered and that the absence thereof would prevent transition. It was also hypothesized that organizational structure effected unity. Examined in conjunction with organization and leadership structure was fragmentation. Fragmentation refers to the fracturing or dissolution of parts of the structure.<sup>41</sup> It was identified operationally by whether or not groups splintered prior to or after the election. The hypothesis was that fragmentation affects the ability of a group to make the transition.

Policies refer to plans or courses of action that intend to influence and determine both decisions and actions.<sup>42</sup> More specifically, in this book they refer to those plans or courses of action that are both domestic and international in nature. The first is defined as a course of action for the domestic sphere, encompassing not only relations with other domestic actors but also social, economic, and political relations. The second, the international, is defined as a course of action for the international sphere, encompassing not only relations with foreign actors but also participation within the international community and governance system. They are identified operationally by whether groups have relations domestically and internationally and, if so, then the nature of those relations. It was hypothesized that both domestic and international policies influence the transition process, as they enable groups to maintain legitimacy within the environment in which they are operating.

Recognition refers to the degree of acceptance of an outsider into the governance system.<sup>43</sup> It was identified operationally by whether or not the group was accepted by the governing authority before or after the election. Acceptance was further operationalized by whether the governing authority was willing to directly negotiate with the group. Recognition can be further categorized according to internal recognition by the masses, international recognition by the government, and external recognition. It was hypothesized that recognition affects both transition and survivability.

These characteristics or variables, taken together, are important for the transition process. All are important and affect both the process and survivability of the transition from resistance movement to political party. While the cases herein demonstrate that all are important in the overall process, they also demonstrate that some variable may have more influence than others. For example, the process of transition is not possible without the development of political will; recognition by the masses is all that is needed for the transition, but survivability requires there to be recognition by the government; and, external recognition is not needed at all, so long as the state is

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*Quarterly*, 14:2, 238–53.

41 Imershein, A., Rond, P. and Mathis, M. (1992), 'Restructuring Patterns of Elite Dominance and the Formation of State Policy in Health Care', *American Journal of Sociology*, 97:4, January, 970–993.

42 Robinson, D. (1997), *Social Capital and Policy Development* (Wellington NZ: Institute of Policy Studies).

43 Grant III, D. and Wallace, M. (1991), 'Why Do Strikes Turn Violent', *American Journal of Sociology*, 96:5, 1117–1150.



semi-economically viable. There are other relational differences with respect to the variables, but these will be examined in the conclusion after each case is examined descriptively.

## **Chapter Overview**

Chapter 1 examines the African National Congress (ANC). This multiracial nationalist organization was the product of a conference organized by its founders for chiefs and prominent, educated Africans who wanted to bring all Africans together as one people to defend their rights and freedoms. This conference was held in Bloemfontein on 8 January 1912. It gave birth to the ANC, which was first and foremost a political movement. In fact, it was not until the 1960s that the ANC developed its military wing, Umkhonto, for the purpose of engaging in violent resistance. For the ANC, it was the combination of violent and non-violent resistance that ended apartheid in 1991 and enabled members of the ANC be elected as representative of the people in the government of South Africa. This chapter, therefore, seeks to examine the ANC's successful transition from resistance movement to political party.

Chapter 2 examines Hezbollah in Lebanon. Hezbollah was created in 1982 in response to the Israeli invasion of the South of Lebanon. It, however, did not make the transition from resistance movement to political party until after the Lebanese civil war. This chapter, therefore, examines Hezbollah's transition for the purpose of identifying those characteristics that made it successful.

Chapter 3 examines the Irish Republican Army (IRA) and Sinn Féin. An examination of one requires the examination of the other because both the IRA and Sinn Féin are intertwined historically and politically. While the IRA's creation preceded that of the independent political movement Sinn Féin, their goals were the same – self-determination. Although independent, but due to their inter-linkages, Sinn Féin has become the political window for the IRA. This chapter, therefore, seeks to examine their linked history; the successful transition of Sinn Féin; and, finally, what characteristics the IRA possesses that would enable it to make a future transition.

Chapter 4 examines the Euskadi Ta Askatasuna (ETA) and Batasuna. Similar to the groups covered in the aforementioned chapter, the ETA and Batasuna are linked historically and politically. The ETA was created in 1959 by disgruntled members of the Basque National Party (*Euzko Gaztedi Indarra*) and a national party called *Ekin*. It, like Batasuna, promoted self-determination. Batasuna was created in 1978 for the purpose of advocating a 'No' to the referendum held in December 1978 on the new Spanish constitution, but it was not until 1979 that it made the successful transition. This chapter, therefore, examines the success and failure of Batasuna and whether the ETA has the potential to make a future transition.

Chapter 5 examines the case of the Islamic Resistance Movement (Hamas) in Palestine. When Hezbollah made the transition from liberation organization to political party, speculation arose as to whether Hamas too would make a similar transition. For any academic who follows them closely, it was not a matter of whether Hamas would but when the transition would occur. Then, in January 2006,

through its political party Change and Reform, Hamas ran for and won the majority seats in the Palestinian legislative elections. In order to understand the successful transition from resistance movement to political party, this chapter seeks to examine the origins, organization and leadership structure, political ideology and programme, and the domestic and foreign policies of the Islamic Resistance Movement (Hamas). With the successful transition of Hamas, the question begging is whether it will suffer a similar fate as the Islamic Salvation Front. Will it fail as a political party and revert to a resistance movement only?

Chapter 6 examines the case of the Islamic Jihad Movement in Palestine (PIJ). With the election of the Islamic Resistance Movement (Hamas) in the national parliamentary elections in 2006, speculation arose as to whether the PIJ would also make a future transition. The transition process under investigation herein is whether it will make the transition similar to Hamas. Does it have the potential to challenge existing political parties such as the Palestinian Liberation Organization (PLO) or Fatah, to name just two? There is reason to believe the future will be promising for the Islamic Jihad Movement in Palestine. Why do they have a promising future? What characteristics do they possess that will aid their future transition? This chapter seeks to examine these very questions.

Chapter 7 examines the case of the Islamic Salvation Front of Algeria (FIS). The transition under investigation in this book is that of resistance movement to political parties. That is, it is concerned with those who have made the successful transition or those who are in the process thereof; those who made the transition and failed; those who have the potential to make the transition; and, finally, those who are never capable of making the transition. The FIS, however, is utterly unique because it was not a resistance movement that made the transition to political party. Rather, it was first a political party that made the transition to a quasi-resistance movement. This does not mean the FIS is irrelevant as a topic to investigate in this book. The FIS is most relevant because through it, there can be an identification of the characteristics that made it both a success and a failure as a political party.

Chapter 8 examines the cases of the Fuerzas Armadas Revolucionarias de Colombia (FARC) and Union Patriótica (UP). Similarly to the groups covered in Chapters 3 and 4, the development of FARC and the UP is intertwined. Therefore, this chapter not only examines the history of each of these groups but also the success and failure of UP's transition. In so doing, it will shed light on whether FARC has the potential of ever making the transition to a political party.

Chapter 9 examines transition in the Philippines. As the Moros fought with the colonizers of the time in the 1500s, modern Philippine resistance movements fight with the Philippine government today for the establishment of an independent, sovereign nation in Muslim Mindanao. This chapter, therefore, seeks to examine the modern resistance movements in Muslim Mindanao. In so doing, it will examine the two largest movements and the most dangerous – the Moro National Liberation Front (MNLF), the Moro Islamic Liberation Front (MILF), and Abu Sayyaf's Group in the Philippines (ASG) respectively. The first two, the MNLF and the MILF, have their origins in the Mindanao/Muslim Independence Movement (MIM), which was created in the early 1960s but quickly faded away with the defection of many its leaders to the government. Abu Sayyaf, on the other hand, has its origins in both

MNLF and MILF. All of these groups, however, are leaders of resistance in Muslim Mindanao, with one making the transition to a political party, another that is in the process, and another that, in the way-distant future, could potentially make the transition.

Chapter 10 examines the case of Al Qaeda. While the groups covered herein include violent or non-violent groups that subsequently joined the political process, regardless of whether they were successfully or not, Al Qaeda rejects the political process and system of governance in the states in which it is operating. It also rejects the international governance system. Its aim, unlike the other groups contained in this book, is international in nature. Al Qaeda does not seek self-determination. This chapter, therefore, will examine the reasons why it is unlike the other groups in this book and why it lacks the potential to ever make the transition to a political party.

The last chapter, the conclusion, summarizes the findings in the aforementioned chapters for the purpose of identifying the common characteristics of success and failure. The identification of such characteristics enables the articulation of a theory of transition of groups engaged in violent and non-violent acts to political parties. The articulation of a theory is important because it will enable states, policy-makers, academics and groups to identify and understand what is needed for a successful transition. Transition should be aided rather than hindered because, as each of these cases demonstrates, the use of violence over time diminishes once the process begins. It is, therefore, significant for the promotion of peace and democratization in the world and in democratizing states.

## Chapter 1

# A Successful ‘Turn Over’: the African National Congress Moves from Sabotage to a Legitimate Political Force and from Apartheid to Democracy

Anisseh Van Engeland

Above all, we want equal political rights, because without them our disabilities will be permanent. ... This then is what the ANC is fighting. Their struggle is a truly national one. It is a struggle of the African people, inspired by their own suffering and their own experience. It is a struggle for the right to live. ... It is an ideal which I hope to live for and to achieve. But if needs be, it is an ideal for which I am prepared to die.<sup>1</sup>

The African National Congress (ANC), a multiracial nationalist organization, was created in 1912 by John Dube, Pixley Seme and Sol Plaat in order to bring all Africans together as one people to defend their rights and freedoms. In the words of Seme:

We have discovered that in the land of their birth, Africans are treated as hewers of wood and drawers of water. The White people of this country have formed what is known as the Union of South Africa – a union in which we have no voice in the making of laws and no part in their administration. We have called you, therefore, to this conference, so that we can together devise ways and means of forming our national union for the purpose of creating national unity and defending our rights and privileges.<sup>2</sup>

This conference gave birth to the ANC, which was first and foremost a political movement. However the movement soon resorted to violence when, out of frustration, ANC leaders decided that the time for negotiations was over. It was not until the 1960s that the ANC developed its military wing, *Umkhonto*, for the purpose of engaging in violent resistance. It was the combination of violent and non-violent resistance that ended apartheid in 1991 and enabled ANC members to be elected as representatives of the people in the government of South Africa. The question remains as to whether the apartheid regime would have ended without the use of

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1 Mandela, N. (1964), ‘‘I am Prepared to Die’’, Nelson Mandela’s statement from the dock at the opening of the defence case in the Rivonia Trial Pretoria Supreme Court’, 20 April 1964.

2 Selope Thema, R.V., ‘How Congress Began’, *African National Congress Online*, at <<http://www.anc.org.za/ancdocs/history/congress/began.html>>, accessed 23 May 2007.

political violence. This chapter, therefore, seeks to examine the ANC's successful transition from a resistance movement to a political party and the (non-)legitimacy of the use of force.

### The ANC: a Political Organization from its Origins

From its inception, the ANC was a political organization. At the time, its creation was perceived as the only possible means of attaining equal rights for all peoples of South Africa.<sup>3</sup> The creation of the ANC was a reaction to the inequalities in South African society and towards non-White Africans in particular, who were treated as second-class citizens. For example, the 1913 Land Act prevented non-White Africans from buying, renting or using land, except for reserves.<sup>4</sup> However, non-White African communities were forced to work in 'White' areas in order to pay taxes, which in effect created a migrant labour system. Even more degrading was the fact that non-White Africans were required to carry ID cards to indicate their lawful presence in 'White' areas. The ANC struggled against these inequalities. The President of the ANC, the Reverend Mahabane, declared in 1921:

For reasons of self-preservation, self-protection and self-aggrandizement, the White man elected to treat the Bantu peoples of Africa as an 'inferior race', or as Earl Buxton, in his Presidential address at the annual meeting of the African Society in London on the 15th of March last, described our people as the 'child races' of the Empire. They have carried this to a logical conclusion by denying us the rights, privileges and responsibilities of manhood.<sup>5</sup>

Given the aforementioned, the political programme of the ANC was based on full equality between all the peoples of South Africa. The 1923 Bill of Rights, which reflected the political platform of the time, called for the right to own property, to use the land, and equality and justice for all.<sup>6</sup> A more detailed Bill of Rights in 1943 called for full citizenship, an end to discrimination, the right to own property and use land, access to public healthcare, education, employment, and dignity for all.<sup>7</sup>

To enforce this programme, the ANC initiated political actions of resistance although the movement was committed to non-violent actions: for example, in 1919, the ANC initiated a campaign against the Pass Laws – laws designed to provide

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3 Mahabane, Reverend Z.R., 'We are not political children', extract from an address by the Rev. Z.R. Mahabane, President of the ANC, to the National Congress held in 1921, in ANC (1993), *The ANC and the Bill of Rights: A Seventy Year Survey* (Johannesburg: ANC Department of Information and Publicity).

4 ANC, 'A History of the African National Congress', *African National Congress Online*, at <<http://www.anc.org.za/ancdocs/about/umzabalazo.html>>, accessed 23 May 2007.

5 Rev. Mahabane, *supra* note 3.

6 ANC (1923), 'The African Bill of Rights', in *Resolutions of the Annual Conference of the African National Congress*, 28–29 May.

7 ANC (1943), *The 1943 Bill of Rights: The African Claims* (Johannesburg: ANC Department of Information and Publicity).

IDs for the purpose of segregating communities. Non-White communities felt like 'humiliated children reduced to a position of utter voicelessness and votelessness, hopelessness, powerlessness, helplessness, defencelessness, homelessness, landlessness, a condition of deepest humiliation and absolute dependency'.<sup>8</sup>

The creation, in 1944, of the ANC Youth League by Nelson Mandela, Walter Sisulu and Oliver Tambo heralded a new generation committed to building non-violent resistance and mass actions. Recognizing the need for coordination with other movements struggling against apartheid, the ANC signed in 1947 a cooperative agreement with the Natal Indian Congress and Transvaal Indian Congress. These two events led to a rebirth of the ANC, which occurred in a very timely fashion: the following year, in 1948, an apartheid government came to power with the election of the Afrikaner-led National Party. Racial laws were enacted: for example, all non-Whites were removed from electoral rolls. A new era opened for the ANC and its allies. The enemy was clearly demarcated and the struggle against racial separation and discrimination were reiterated.

### **A Struggle between Human Rights and Terrorism: a Political Shift from Non-Violence to Violence**

#### *A Peaceful Movement Influenced by Ghandi*

When the ANC was formed in 1912, it aimed at defending the rights of non-White communities by using forms of non-violent resistance. There were protests, strikes, boycotts, and marches against the apartheid policies. Even after the apartheid government came to power, the ANC remained committed to non-violent resistance, pursuing a policy of peaceful negotiation. In 1952, the ANC joined the Defiance Campaign which resulted in exponential growth of its membership. The Defiance Campaign of Unjust Laws was aimed at discussing the restrictions of political, labour and residential rights. It was launched by the ANC in June 1952 and was joined by Indians and Europeans, led by Patrick Duncan; it was directed against certain laws such as the Pass Laws. The government reacted by arresting all the leaders of the movement; it culminated with the Treason Trial from 1956 to 1961.<sup>9</sup>

Despite peaceful actions, the situation seemed to grow graver with new restrictive laws passed every year in an attempt to diminish the rights of non-White communities. Considering that Parliament represented solely White people's interests, the other South African peoples decided to take extra-parliamentary measures to draw attention to their situation; they did not intend to subvert Parliament.<sup>10</sup> However the

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8 *Id.*

9 One hundred and fifty-six leading members of the Congress Alliance, including Nelson Mandela, were arrested on a charge of high treason and charges under the Suppression of Communism Act; Mandela, *supra* note 1.

10 Matthews, Z..K. (1964), 'The Road from Non-Violence to Violence', speech by Z.K. Matthews at a conference sponsored by the World Council of Churches, Kitwe, Northern Rhodesia, May 1964.

government considered this an attempt to undermine Parliament, which resulted in further repressive measures against South Africa's non-White communities.

During the 1952 Campaign, the Public Safety Act and the Criminal Law Amendment Act were passed. They provided harsher penalties for offences committed by way of protests against these laws. Despite these laws, the ANC decided to go on with peaceful demonstrations and during one of them, there were incidents: in 1960, the police opened fire on demonstrators in Sharpeville, killing many. The results of the Sharpeville massacres were more demonstrations and strikes. The government declared a state of emergency and illegalized all African organizations, including the ANC. Immediately following the illegalization of the ANC, there were other non-violent attempts, such as the stay-at-home demonstrations. This only prompted the government to enact harsher laws. In fact, the government mobilized its armed forces and sent them into townships to intimidate its inhabitants: 'This was an indication that the Government had decided to rule by force alone, and this decision was a milestone on the road to Umkhonto'.<sup>11</sup> This was the breaking-point for the ANC and other African resistance organizations, who engaged primarily in non-violent resistance. As Chief Albert John Lutuli, who became President of the ANC in 1952, and who was later awarded the Nobel Peace Prize said:

Who will deny that thirty years of my life have been spent knocking in vain, patiently, moderately, and modestly at a closed and barred door? What have been the fruits of moderation? The past thirty years have seen the greatest number of laws restricting our rights and progress, until today we have reached a stage where we have almost no rights at all.<sup>12</sup>

An editorial writer added:

At every stage when we stretched out a hand for friendship, we were metaphorically spat upon; we were humiliated, insulted; our mind and soul were bruised painfully. Still, we were patient, and the more we were patient the tighter became the noose of oppression around our necks.<sup>13</sup>

Frustration escalated as non-violent resistance became fruitless. Moreover, the mobilization of the government's armed forces was an indication it had decided to rule by force alone. This was a decisive milestone for the ANC, as it paved the way for the creation of a military wing.<sup>14</sup>

### *Radicalization of the ANC: Creation of Umkhonto we Sizwe*

Some say that South African non-White movements were reluctant to resort to violence because they knew that the government was better armed and ready to

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11 Mandela, *supra* note 1.

12 Quoted in Mandela, *supra* note 1.

13 Kanyisa in *Inkudla ya Bantu*, quoted in Feit, E. (1972), 'Generational Conflict and African Nationalism in South Africa: the African National Congress, 1949–1959', *The International Journal of African Historical Studies*, vol. 2, 181–202.

14 Mandela, *supra* note 1.

respond to violence with violence.<sup>15</sup> There was awareness that a clash would lead to bloodshed. However, when the struggle intensified after the Sharpeville massacre, the ANC considered it had no other choice. It had reached a point in its strategy where no other path was available:

It is, however, well known that the main national liberation organizations in this country have consistently followed a policy of non-violence. They have conducted themselves peaceably at all times, regardless of government attacks and persecutions upon them, and despite all government-inspired attempts to provoke them to violence. They have done so because the people prefer peaceful methods of change to achieve their aspirations without the suffering and bitterness of civil war. But the people's patience is not endless.<sup>16</sup>

The ANC could no longer stand idle and allow the government to violently repress a population that had a right to be free and live equally. This raised the question of legitimacy of the use of force: was the ANC 'entitled' to resort to violent means because non-violent actions had failed? The leaders felt entitled to because of the ruthless governmental repression. In addition, the leaders of the ANC turned to violence because they were ready to accept its consequences and the fatality attached to political violence. The dynamic of repression encouraged them and justified their change of mind regarding violence.

The prohibition of the ANC's existence prompted Nelson Mandela and others to create the *Umkhonto we Sizwe*, 'Spear of the Nation', or MK. It was created as the military branch of the ANC and was charged with engaging in acts of sabotage. At first, the ANC's aim was to use controlled violence, wherein there would be no victims. To engage in indiscriminate killings would have resulted in a civil war. The creation of the military wing marked nonetheless the official transition from non-violent resistance to violent resistance. While the ANC disappeared from the public eye and worked underground, its military wing carried out acts of sabotage. The same year, the leader of the ANC, Albert Lutuli, won the Peace Nobel Prize. For many experts, the resort to violence was the result of the frustration and desperation of the ANC.<sup>17</sup> The adoption of a policy of non-violent resistance, however, was not accepted at all levels. Even Nelson Mandela had reservations. He declared:

I must deal immediately and at some length with the question of violence ... I do not, however, deny that I planned sabotage. I did not plan it in a spirit of recklessness, nor because I have any love of violence. I planned it as a result of a calm and sober assessment of the political situation that had arisen after many years of tyranny, exploitation, and oppression of my people by the Whites. I admit immediately that I was one of the persons who helped to form Umkhonto we Sizwe, and that I played a prominent role in its affairs until I was arrested in August 1962 ... I, and the others who started the organization, did so for two reasons. Firstly, we believed that as a result of Government policy, violence by the African people had become inevitable, and that unless responsible leadership was

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15 Matthews, *supra* note 10.

16 Umkhonto we Sizwe, *Manifesto of Umkhonto we Sizwe*, leaflet issued by the Command of Umkhonto we Sizwe, 16 December 1961, at <<http://www.anc.org.za/ancdocs/history/manifesto-mk.html>>, accessed 23 May 2007.

17 Matthews, *supra* note 10.



given to canalize and control the feelings of our people, there would be outbreaks of terrorism which would produce an intensity of bitterness and hostility between the various races of this country which is not produced even by war. Secondly, we felt that without violence there would be no way open to the African people to succeed in their struggle against the principle of White supremacy. All lawful modes of expressing opposition to this principle had been closed by legislation, and we were placed in a position in which we had either to accept a permanent state of inferiority, or to defy the Government. We chose to defy the law. ... But the violence which we chose to adopt was not terrorism. We who formed Umkhonto were all members of the African National Congress, and had behind us the ANC tradition of non-violence and negotiation as a means of solving political disputes. We believe that South Africa belongs to all the people who live in it, and not to one group, be it Black or White. We did not want an interracial war, and tried to avoid it to the last minute.<sup>18</sup>

For the ANC, the adoption of a policy of resistance was the option of last resort. Everything else had failed and all channels of communications were closed. The Manifesto of Umkhonto passed on 16 December 1961 reflects this feeling:

The time comes in the life of any nation when there remain only two choices – submit or fight. That time has now come to South Africa. We shall not submit and we have no choice but to hit back by all means in our power in defence of our people, our future, and our freedom.<sup>19</sup>

The ANC was aware that by using violence it could encourage the government to attack the non-White communities. At the same time, the situation was so desperate that there was no other option:

It was precisely because the soil of South Africa is already drenched with the blood of innocent Africans that we felt it our duty to make preparations as a long-term undertaking to use force in order to defend ourselves against force. If war were inevitable, we wanted the fight to be conducted on terms most favourable to our people.<sup>20</sup>

#### Umkhonto, *the Military Wing of the ANC*

Created for the purpose of defending the rights of Africans and all other non-White communities in South Africa, *Umkhonto*, the military wing of the ANC, ensured recruitments and training of its supporters. It was under the control of the National High Command, which had powers of co-option and which could, and did, appoint Regional Commands. The High Command was the body which determined tactics and targets and was in charge of training and finance; the regional Commands were responsible for the direction of the local sabotage groups. *Umkhonto*, the military wing of the ANC, ensured recruitments and training of its supporters. Its members had to closely follow the *Umkhonto* charter and the pledge not to kill people. These were in Mandela's own words 'an importation from the Jewish national underground

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18 *Id.*

19 Umkhonto we Sizwe, *supra* note 16.

20 Mandela, *supra* note 1.

organization Irgun Zvai Leumi, which operated in Israel between 1944 and 1948'.<sup>21</sup> Soon, there was a blurring between ANC and *Umkhonto* due to the fact that many members belonged to both groups. Despite this, the ANC maintained the distinction and took great care to keep the activities of the two organizations separate. The ANC remained the political apparatus responsible for carrying out all political activities, while *Umkhonto* focused on armed resistance. Maintaining separation organizations, with distinct policies, meant that the ANC never officially adopted a policy of violent resistance.<sup>22</sup>

The first action of *Umkhonto* took place on 16 December 1961, when government buildings in Johannesburg, Port Elizabeth and Durban were attacked. Mandela was arrested in 1963 and sentenced during the Rivonia Trials to life imprisonment at Robben Island. After the Rivonia Trials, the ANC's underground structure was almost completely destroyed. Its members moved to London, then Lusaka in Zambia. The movement also had antennas in other African countries. At the Morogoro Conference in 1969, the ANC decided to engage in an all-out struggle.<sup>23</sup> Instead of just using military or political struggle they decided it would be best to use both at the same time, which meant the underground structure had to be rebuilt. They also decided at this conference that they would need to build up international support and assistance.<sup>24</sup>

In the 1970s apartheid grew stronger and extended its rule over all parts of people's lives. This prompted a reaction from workers and students alike. In 1973, there were strikes, which later spread across the country. Students protested in 1976 against the use of Afrikaans in schools.<sup>25</sup> Police opened fire on the marching students in Soweto. This caused an uprising across the country which caused around 1,000 or more deaths.<sup>26</sup> The Soweto riots were supported by the ANC and from 1979 all opposition groups began to organize in the United Democratic Front – UDF. Consequently, from 1984, the townships were in perpetual state of riot. All the repression and the killings justified the ANC in resorting to violence;<sup>27</sup> it also gave to the ANC the leading role in the liberation movement.

### *Why Resort to Violence? The Means of Last Resort*

A policy of violent resistance was adopted as means of last resort by the ANC. It was a tactic of resistance against the apartheid government and against discrimination. The strategy of the ANC was to put an end to 'the unending resistance to White

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21 Mandela, *supra* note 1.

22 *Id.*

23 ANC Executive Committee 1995, *Declaration of The African National Congress*, Morogoro, 17–20 March, at <<http://www.anc.org.za/ancdocs/history/or/or69-1.html>>, accessed 23 May 2007.

24 *Id.*

25 *The Afrikaans Medium Decree*, Regional Circular on Bantu Education, Northern Transvaal (No. 4), File 6.8.3 of 17 October 1974.

26 ANC, *supra* note 23.

27 African National Congress 1970, *Strategy and Tactics of the African National Congress*, at <<http://www.marxists.org/subject/africa/anc/1970/congress.htm>>, accessed 23 May 2007.

domination<sup>28</sup> by all means. But as the movement explained at the beginning of the struggle there was no room for ‘ill-planned or premature manifestations of violence’<sup>29</sup> that would have impeded prospects for revolutionary changes. Therefore violent actions committed by the ANC were widely accepted as acts of self-determination. Political violence was, therefore, legitimized in the eyes of many, as it aimed at undermining the government.

The ANC considered sabotage to be a good proof of the seriousness of the cause it defended.<sup>30</sup> All groups have to justify the resort to political violence and the existence of a military wing to their movement. The ANC justifies the resort to violence by explaining its need thus:

When we talk of revolutionary armed struggle, we are talking of political struggle by means which include the use of military force even though once force as a tactic is introduced it has the most far-reaching consequences on every aspect of our activities. It is important to emphasize this because our movement must reject all manifestations of militarism which separates armed people’s struggle from its political context.<sup>31</sup>

In its strategy, the ANC soon realized that the battle for hearts and minds had to be won as well:

In the long run it can only succeed if it attracts the active support of the mass of the people. Without this lifeblood it is doomed. The involvement of the masses is unlikely to be the result of a sudden natural and automatic consequence of military clashes. It has to be won in all-round political mobilization which must accompany the military activities. This includes educational and agitational work throughout the country to cope with the sophisticated torrent of misleading propaganda and ‘information’ of the enemy which will become more intense as the struggle sharpens.<sup>32</sup>

The actions were prepared outside the country. Soon, the nature of the violence evolved and there were victims: the 1983 Church Street bombing killed 16 civilians and wounded 130 persons. Murders were committed for political purposes. There were car bombings and targeted assassinations.<sup>33</sup> The South African army retaliated by attacking the ANC’s basis. The movement received arms from the USSR. The international community categorized the ANC as a terrorist group despite the general condemnation of apartheid. Some pre-eminent anti-apartheid experts criticized the use of violence by the ANC. For example, Archbishop Desmond Tutu commented on the resort to violence arguing that non-violent resistance such as civil disobedience was a more productive way of struggle. Besides, the ANC was quite close to the

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28 *Id.*

29 *Id.*

30 African National Congress 1970, *supra* note 27.

31 *Id.*

32 *Id.*

33 Cleveland, T. (2005), ‘ “We Still Want the Truth”: The ANC’s Angolan Detention Camps and Post-Apartheid Memory’, *Comparative Studies of South Asia, Africa and the Middle East* 25 (1), 63–78.

Communist party and communism in general, which at the time of the Cold War drew criticisms at home and abroad.<sup>34</sup>

What complicates the matter is that after apartheid all the acts of torture and killings committed by apartheid governments were qualified as terrorist acts or state terrorism. ANC actions were labelled by some as terrorist actions and by others as acts of self-determinations. ANC's example demonstrates how ambiguous the notions of 'terrorism', 'freedom fighter' and 'guerrilla' can be.

The reason why the ANC proceeded to use violence and why there was an evolution in the violence is that it worked. The ANC did not achieve democratization through peaceful actions or controlled violence, but by resorting to killings of civilians. Leaders of the ANC were disciples of Frantz Fanon and believed that violence was a way to liberate people.<sup>35</sup>

For Edward Feit, the fact that it was the new generation of freedom fighters and leaders issuing from the Youth League who decided to resort to violence is not an accident: he speaks of a generational conflict in which young members of a movement are far more eager to witness changes and turn to old tactics of violence because they feel politics has failed them.<sup>36</sup>

#### *Politics of Terrorism: Were they Terrorists or Freedom Fighters?*

The designation of an organization as 'terrorist' is political and often subjective. For the South African government during apartheid, the ANC and its military wing were labelled as terrorist organizations. Such labelling was common under the pens of South African academics, who included all opposition groups in the notion of 'terrorists'.<sup>37</sup> The ANC, however, described itself then as a guerrilla group when it adopted armed resistance in 1969.<sup>38</sup> During his trial for sabotage, Nelson Mandela made it clear that the ANC and *Umkhonto* were not terrorist movements:

At the beginning of 1961, after a long and anxious assessment of the South African situation, I and some colleagues came to the conclusion that as violence in this country was inevitable, it would be unrealistic and wrong for African leaders to continue preaching peace and non-violence when the government met our peaceful demands with force ... It is a fact that for a long time the people had been talking of violence – of the day when they would fight the White man and win back their country and we, the leaders of the ANC had nevertheless prevailed upon them to avoid violence and to pursue peaceful methods. When some of us met in May and June 1961, it could not be denied that our policy to achieve a non-racial state by non-violence had achieved nothing, and that our followers

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34 Gregory, J. (1995), *Goodbye Bafana: Nelson Mandela, My Prisoner, My Friend* (London: Headline).

35 Fanon, F. (1961), *Les Damnés de la Terre* (Paris: Maspéro).

36 Feit, *supra* note 13.

37 Clifford-Vaughan, F. (1987), 'Terrorism and Insurgency in South Africa', p. 271, in *Contemporary Research on Terrorism*, ed. P. Wilkinson and A.M. Stewart (Aberdeen: Aberdeen University Press).

38 ANC, Strategy and Tactics of the African National Congress 1969, at <<http://www.anc.org.za/ancdocs/history/stratact.html>>, accessed 23 May 2007.

were beginning to lose confidence in this policy and were developing disturbing ideas of terrorism.<sup>39</sup>

To further distinguish terrorism from the acts of violence committed by *Umkhonto we Sizwe*, Mandela argued that the form of violence adopted is important, as well as the target. He said *Umkhonto* could have engaged in sabotage, guerrilla warfare, terrorism and revolution.<sup>40</sup> The movement chose the first method, considering the others to be steps towards more violence. Attacking the economic symbols of the country was a way to attack the government without hurting the people. However this became very theoretical are the violent acts committed by *Umkhonto* killed and wounded many civilians. While this blurs the line between what is terrorism and what is guerrilla warfare, a theoretical distinction can be made based on the commonly used definition of terrorism. Terrorism can be defined as the intentional targeting of civilians for the purpose of instilling fear to affect political change. Consequently, for some the ANC was a terrorist group while for others it used terrorism as to counter state terrorism. It is impossible to have an exact number of all many people were killed or hurt by MK but one point is certain: MK did not respect its pledge not to kill civilians.

The South African Truth and Reconciliation Commission recorded several crimes committed by the ANC. According to the Commission, when *Umkhonto* targeted people in car bombings and restaurants or executed spies, it aimed to intimidate or punish supporters of the White government. *Umkhonto*, however, argued that these incidents were not terrorist in nature because they were not intended to kill civilians but instead members of the military, among others.<sup>41</sup> It argued for example that the blast that killed 18 people in Pretoria in 1981 could not be classified as terrorism because the bombs were intended to kill members of the military.<sup>42</sup> This demonstrates that the designation of a group as a terrorist or freedom fighter, therefore, is not only political but subjective.

### **First Steps in Politics: the Transition from Resistance to Politics**

#### *The Freedom of Mandela: a New Beginning*

The second transformation of the ANC began in 1986 when negotiations were initiated between the De Klerk government and the ANC over the possible release of Nelson Mandela. President Frederik De Klerk believed in negotiations and put an end to apartheid in 1991. Mandela was released in 1990 and the ANC and other groups were legalized. Constitutional negotiations began from there on the future of South Africa.

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39 Mandela, *supra* note 1.

40 *Id.*

41 Mkhondo, R. (1930), *Reporting South Africa* (London: James Currey).

42 *Id.*

During the Congress of the ANC that took place that year, the focus was set on the reorganization of the movement.<sup>43</sup> The movement referred to the 1955 Freedom Charter that was the political platform of the ANC: it requested claims for equality, dignity and social justice. When apartheid ended, the ANC and its allies turned naturally towards this document for political guidelines:

The vision of an alternative society outlined in the Freedom Charter remains our guiding light. Our goal is the creation of a united, non-racial, non-sexist and democratic society. This in essence means the liberation of Africans in particular, and Black people in general, from political and economic bondage. It means uplifting the quality of life of all south Africans, especially the poor, the majority of whom are African and female. ... It constitutes a platform from which to launch a programme of social transformation: a programme that is absolutely necessary to uproot the demon of racism from South African soil. The constitution, in addition to providing for formal equality, enjoins all branches of government to implement this transformation project.<sup>44</sup>

The two main ideas were national democracy and negotiations. The concept of national democracy had been elaborated along the decades and was a left-wing notion including the fight against poverty, equality for all, dignity, education for all and many for rights. This is how the ANC moved forward on the political scene, ready to shoulder political responsibilities.

#### *Considering the Past for the Future*

The year of 1991 was also the time to draw conclusions from the ANC's actions during the apartheid regime. The ANC said it played an essential role from underground. The movement also considered that the armed struggle waged by *Umkhonto we Sizwe* contributed to the weakening of the apartheid establishment. So according to the organization, it is the action of the ANC, combined with the use of violence, that forced the authorities to negotiate and end the regime of apartheid. The ANC granted therefore legitimacy to the use of violence:

It is against the backdrop of these developments that the regime has been forced to introduce some changes. These changes constitute a strategic defeat for the apartheid regime and an open admission on its part that all its counter-revolutionary efforts, both inside and outside the country, have failed to suppress and crush the national liberation movement of our country. The strength and invincibility of this movement, the justice of our cause and the adherence of the overwhelming majority of our people to the democratic perspectives represented by our movement are being borne out by history.<sup>45</sup>

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43 ANC, 'Advance to National Democracy: Guidelines on Strategy and Tactics of the African National Congress', February 1991, at < <http://www.anc.org.za/ancdocs/history/advance.html>>, accessed 23 May 2007.

44 ANC, Non-Racialism in Action: Acknowledging the Past, Changing the Present, Building the Future: Submission of the African National Congress to the World Conference against Racism NGO Forum, August 2001.

45 ANC, *supra* note 43.

It is after concluding on the victory of the ANC as a liberation movement that the document acknowledges new challenges: now that the struggle for national liberation is over, what is to be done? The ANC draws its inspiration from the fight it has been leading for so long and said democracy was at the core of the struggle. It is therefore appropriate to keep on struggling for democracy by extending the notion to the whole country. The transformation and process of democratization was therefore at the core of the post-apartheid ANC. The transition was aimed at changing the balance of forces in favour of democracy.

One of the challenges the ANC faced was to make sure the national democratic movement that had fought apartheid did not reverse the gain it scored.<sup>46</sup> The second challenge was the strategy of the ANC: it made it clear that the immediate and permanent normalization of the political situation was to be reached. Eventually the question of the forms of struggle was raised. To this, the ANC's response about the armed struggle was quite evasive. It basically said it would disarm if the context allowed it, if the apartheid forces did not strike back and if violence against communities stopped. The ANC wanted changes to be real. This raises a question: if ANC had not won the post-apartheid elections, would it have continued its armed struggle? The movement declared in 1991 that it had suspended all violent actions but that the armed struggle was not over until the enemy had disappeared. Can we therefore speak of the ANC as a truly democratic and peaceful movement from 1991 as it claimed to be in all its political platforms and declarations at the time? What kind of democracy could the ANC advocate while it maintained *Umkhonto we Sizwe* active and ready to strike around the country in the name of people's self-defence?

What is clear is that the ANC came out from underground step by step and the transition that took place then was at various levels: there was a transition for the country, going from an apartheid regime to an interim government said to be democratic, and at the same time the ANC evolved into a full political organization while keeping all its options open, including violence.

### *Disarmament*

The existence of an armed group linked to the ANC was problematic. As the organization has maintained the existence of MK despite the end of apartheid, there were worries. However, MK suspended operations on 1 August 1990 in preparation for the dismantling of apartheid, and was finally integrated into the South African National Defence Force by 1994.

In 1991, the ANC did not deny the violent actions carried out and added that MK had played 'an important in the last 30 years in bringing about the immense political victories we have scored and the political situation to its present level'.<sup>47</sup> However, the ANC had suspended its actions in 1990 but never said it would disarm. And indeed the ANC said: 'Noting that while we have suspended armed activities we

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<sup>46</sup> *Id.*

<sup>47</sup> ANC, 48th National Conference, Adopted Resolution on Umkhonto we Sizwe, Durban, July 1991, at <<http://www.anc.org.za/ancdocs/history/conf/mkres48.html>>, accessed 23 May 2007.

however have not abandoned armed struggle', and that is why the ANC maintained and developed MK until the adoption of a democratic constitution and the creation of a new defence force were achieved. So MK remained mobilized throughout the country as 'to maintain peace ... and participate to the rebuilding and organization of ANC'.<sup>48</sup> There were in addition efforts to include MK cadres into the political party. The idea was that MK should be integrated into the army and should be committed to the democratic perspective that the ANC represented.<sup>49</sup> The reason behind this integration is that MK fighters were considered by many to be freedom fighters.<sup>50</sup>

In 1996, after being elected, the ANC declared that violence was a major worry for the country. It acknowledged that a legacy of the conflict resulted in the existence of licensed and unlicensed weapons in the hands of citizens; therefore the movement decided to demilitarize South African society.<sup>51</sup>

### *Political Successes*

In 1992, the ANC declared itself ready to govern:<sup>52</sup> its political aims were clearly stated in a document about the ANC's vision of the future that entailed political participation, social and economic justice, equality and dignity. Developing the economy was at the time an essential guideline for the fight against racism and equality for all. The document presented 'a set of basic guidelines' for policies the ANC intended to pursue.<sup>53</sup>

On 27 April 1994 the first multiracial elections gave the majority to the ANC that won seven of the nine provinces; the Parliament then elected Mandela president. A government of national union was set up with the National Party and the Zulu party Inkhata. A constitution was adopted in 1996. Thabo Mbeki became president after the June 1999 elections. The 2000 municipal elections were won by the ANC. In 2004 the movement won the legislative elections for the second time. Consequently the life of South Africa has been supervised since 1991 by the ANC, a former so-called terrorist group turned into a political movement, and former so-called terrorists became important public personalities.

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48 *Id.*

49 Mandela, N. 1991, 'Opening Address to the 48th National Conference of the ANC', Durban, 2 July 1991, at <<http://www.anc.org.za/ancdocs/history/mandela/1991/sp910700-02.html>>, accessed 23 May 2007.

50 Tambo, O. 1994, 'Opening Address to the ANC 48th National Conference', Durban, 2 July 1991, at <<http://www.anc.org.za/ancdocs/history/or/or91-3.html>>, accessed 23 May 2007.

51 ANC, *Resolutions of ANC's Peace and Security Summit*, 31 August–1 September 1996, at <<http://www.anc.org.za/ancdocs/policy/summit.html>>, accessed 23 May 2007.

52 ANC, *Ready to Govern: ANC Policy Guidelines for a Democratic South Africa adopted at the National Conference*, 28–31 May 1992, at <<http://www.anc.org.za/ancdocs/policy/readyto.html>>, accessed 23 May 2007.

53 *Id.*



*ANC Figures: from Terrorist to Political Actors – the Example of Nelson Mandela*

The ANC has several pre-eminent figures and the efficiency and actions of the ‘terrorist’ group and later the political movement is linked to these figures. Nelson Mandela is the most famous of all. He received the Nobel Prize for Peace in 1993 after being imprisoned for treason during almost 30 years. When Mandela was released, he became the figure of focus for all ANC members and supporters and soon went from a ‘terrorist’ to president of the new South Africa. Many have not forgotten his past and are shocked by his legitimacy today. However the mere fact that Mandela became such a public figure and a Nobel Prize winner later demonstrates the fine line between terrorism and the struggle for self-determination.

### In Conclusion

Some experts believed that the transformation of the ANC from a terrorist group into a political party was very timely: the armed branch of the ANC was less powerful than it used to be.<sup>54</sup> The argument is that MK could never fully develop because of the constraints (exile, failures of coordination and others). So it is legitimate to think that the movement never reached its full degree of deadliness.<sup>55</sup> In addition, it is said that the movement had reached the limits of its strategy: indeed a strategy of terror, although it seems to bring results,<sup>56</sup> has a limited impact in time. A conflict that keeps on going is a burden for all parties. Eventually, the political prospects at the time and events such as the release of Mandela and the end of apartheid showed that it was time for a change. Consequently, the ANC adopted a survival strategy: it became a political party. Most of the movements analysed here had at one point to make a choice between continuing the armed struggle and the political option as to ensure viability.

The transition from a violent group to a political group was difficult to manage as the ANC was in parallel assuming the democratization of South Africa. However, the group managed the transition quite well and became a real party very soon and won elections. The ANC has developed real political machinery. The challenge for the ANC in 1994 was to adapt and relate to government structures. It was very effective in meeting the challenge and made the structural arrangements necessary.

The ANC has managed the post-apartheid period and the transitional justice period quite well. But it is now facing serious challenges: the first one is that it has become the omnipresent political force:<sup>57</sup> Another challenge is the struggle against

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54 Beinart, W. (1992), ‘Introduction: Political and Collective Violence in Southern African Historiography’, *Journal of Southern African Studies*, 18:3, September, Special Issue: Political Violence in Southern Africa, 455–86.

55 Feit, E. (1971), *Urban Revolt in South Africa 1960–1964: A Case Study* (Northwestern University Press), 202–10, 257–77); Johns, S. (1973), ‘Obstacles to Guerrilla Warfare – A South African Case Study’, *The Journal of Modern African Studies*, 11:2, June, 267–303.

56 Dershowitz, A. (2002), *Why Terrorism Works* (New Haven: Yale University Press).

57 Giliomee, H.B. (1998), ‘South Africa’s Emerging Dominant-party Regime’, *Journal of Democracy*, 9:4, 128–42.

terrorism. There are indeed some terrorist movements in South Africa. For example an explosion on 25 August 1998 in the entrance of a restaurant in Cape Town killed one person and injured at least two dozen others. Local authorities believe that Muslim groups masterminded the attack in retaliation for the US bombings of terrorism-related targets in Sudan and Afghanistan. The irony is when the ANC wanted to pass a bill against terrorism, it met resistance from its allies:<sup>58</sup> COSATU stated that 'the broad wording of provisions' in the current form of the bill 'linking acts that cause economic harm to terrorist activity, could have direct implication for any strike or protest activity'. The new definition of a 'terrorist act' covers a huge area of activity, including any that may 'cause damage to property ... or disrupt any public service [or] the delivery of any essential service to the public [or] create unrest'. The first draft of the law contained a section on sabotage, punishing it by 20 years of imprisonment.<sup>59</sup> The ANC seems to discover the reality of politics when it wants to punish other groups for doing what it did in the past.

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58 'Controversial South African anti-terrorism bill withdrawn', *Afrol News*, 27 February 2003.

59 Slaughter, B. (2001), 'South Africa: ANC Government pushes through Draconian Anti-terrorism Legislation', *WSWS*, 9 November 2001.

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## Chapter 2

# Hezbollah: from a Terrorist Group to a Political Party – Social Work as a Key to Politics

Anisseh Van Engeland

*The hand that fights, the hand that builds.*<sup>1</sup>

During his trip to Bir Zeit in Palestine, in February 2000, former French Prime Minister Lionel Jospin declared:

France condemns the attacks which are conducted against [Israeli] soldiers [by Hezbollah] ... France has a concern that the [Israeli] retaliations, that we understand, would strike civilians as little as possible ... protecting civil population is a constraint that Israel tries to respect. I would be astonished that the French authorities ever qualified the shootings carried out by Hezbollah against civilians, even against soldiers, as acts of resistance.<sup>2</sup>

He implicitly qualified acts carried out by Hezbollah as terrorist acts. These words provoked an international uproar.<sup>3</sup> Stones were thrown at the former Prime Minister when he left the University of Bir Zeit. Why did his comments encounter so much animosity?

After the attacks of 11 September 2001, the United States decided to put back Hezbollah on its official list of terrorist groups.<sup>4</sup> The government even declared that Hezbollah was the second most dangerous terrorist organization after Al Qaeda.<sup>5</sup> The Lebanese group had been withdrawn from this list before the attacks and, at the time, US authorities would have been satisfied with the disarmament of the organization, although there were still some tensions.<sup>6</sup> After the 2001 attacks, US authorities considered that Hezbollah qualified as a terrorist group because of its

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1 Hezbollah slogan.

2 Gresh, A. (2000), 'La France affaiblie au Moyen Orient', *Le Monde Diplomatique*, 1 March.

3 Goraieb, I. (2000), 'Jospin a gaspillé le crédit de confiance de la France', *L'Orient-Le Jour*, March.

4 MedIntelligence (2001), 'Terrorisme et états voyous: liste des états voyous et des mouvements terroristes au 5 octobre 2001', at <<http://medintelligence.free.fr/bdterror2.htm>>, accessed 23 May 2007.

5 Karmon, E. (2002), 'Hizballah and the War on Terror', *Policywatch*, 642, 30 July.

6 Gambill, G.C. (2001), 'Lebanon Ambivalent Towards US War on Terror', *Middle East Intelligence Bulletin*, 3:10, at <[http://www.meib.org/articles/0110\\_12.htm](http://www.meib.org/articles/0110_12.htm)>, accessed 23 May 2007. The US requested the extradition of men who are supposed to be related to the

uninterrupted actions around the Chebaa farms and its stance regarding the Israeli–Palestinian conflict.<sup>7</sup> The decision to put Hezbollah back on the list of the world terrorist organizations was highly criticized not only in Lebanon and in the Muslim world but also by the European Union, which refused to agree with this list. Later the EU faced the same debate about the inclusion of Hezbollah on a terrorist network list and the same disagreements occurred.<sup>8</sup> Why is there no consensus regarding the addition of Hezbollah to the list?

Lebanon was the first country to publicly refuse to freeze the assets of Hezbollah, despite the request expressed by the US government after 11 September 2001.<sup>9</sup> Lebanon, by saying no to the US, made a decision that could have had heavy consequences: Lebanese leaders could have been accused of supporting terrorism. Moreover, Lebanon had a debt of 28.8 billion euros and its economy depends in part on external investments.<sup>10</sup> Why did Lebanese authorities take the risk of burdening the country economically and financially?

Lionel Jospin and the US authorities omitted a major fact, a fact of which the Lebanese government is acutely aware: Hezbollah is considered to be a group of resistance, and is popular in Lebanon but also in the world: it fought for the liberation of the South of Lebanon and won the war by inflicting a severe defeat on Tsahal. Besides, it is not a movement like others: it is a movement that made a successful transition from a group combining terrorist and guerrilla methods, to a political movement legitimated by popular vote. It is nowadays a well-established and respected political party in Lebanon.<sup>11</sup> Even after the 2006 war with Israel, Hezbollah remains a highly respected figure in Lebanon.

Actually, the terrorism/self-determination aspect and the political aspect of the organization are the two interfaces of the same reality: Hezbollah is a movement which resorted to violent methods before choosing the political path. The problem is thus complex: there is on the one hand the political party elected to the Lebanese

1983 attacks against the US marines' barracks in Beirut. The Lebanese government always refused the extradition in the name of national peace and amnesty signed after the civil war.

7 The Chebaa farms are small and uninhabited disputed lands located at the intersection of Lebanon, Israel and Syria. The area does not belong to Israel but the Israeli army has not pulled back from that area. Armed actions and incidents happen there on a regular basis, between Hezbollah and Tsahal. Israel refuses to withdraw from these lands because they are strategically positioned. It also justifies the continual attacks of Hezbollah against Tsahal. The UN has interfered to stop the fighting but just managed to draw a geographical line.

8 The EU decided that the military branch of Hezbollah would be considered as terrorist but this classification is not binding on the state members. Besides, the European Parliament adopted a non-binding resolution, on 10 March 2005, that qualifies Hezbollah's actions as terrorist actions. The UK agreed with such a resolution while France disagreed. The UN does not include Hezbollah in its list of terrorist organizations.

9 Naim, M. (2001), 'Le Liban ne gèlera pas les avoirs du Hezbollah, considéré comme un mouvement de résistance', *Le Monde*, 8 November.

10 The debt has now reached 40 billion dollars, due to the war with Israel in summer 2006.

11 Embassy of France in the United States, Press and Communication Services, *Standpoint: Statement made by the Foreign Ministry's Spokesperson*, Paris, 11 March 2005.

Parliament and on the other hand a formidable machine of war which inflicted a defeat on an army that was considered invincible. The matter is further complicated by Hezbollah's attitude and role during the 2006 war with Israel. Lionel Jospin and the US authorities neglected this parameter and maintained the usual representation of Hezbollah as a terrorist organization. This chapter studies the transition of a group that has multiple facets.

## Presentation of Hezbollah

### *The Multiples Facets of the Movement*

*Birth of the movement* Hezbollah was created semi-officially at the end of 1982 in response to the Israeli invasion of the South of Lebanon. As of its creation, Hezbollah defined itself as an Islamic movement of resistance with economical, political, social and ideological foundations.<sup>12</sup>

At the beginning, Hezbollah was an umbrella organization hosting 13 small groups, mostly leftist. Those organizations decided to join to create a united front. What united the groups was the opposition to the Israeli invasion and the feeling that the State did not care for the future of the Shia community.<sup>13</sup> The first demonstration of Hezbollah as a unified group happened on 11 February 1984 at Baalbek, the headquarters of the movement, during the commemoration of the fifth anniversary of the Islamic Iranian revolution. The extension of the movement's sphere of influence was fast.

From the beginning there were questions about the nature of the movement. The presence of Hezbollah as a national movement struggling for the freedom of the country was justified by the illegal occupation (as qualified under Resolution 425 of the United Nations) of Southern Lebanon by the troops of Tsahal, which left Lebanon in May 2000.<sup>14</sup> That was the starting point for the action of Hezbollah. The actions and the methods used by Hezbollah raised questions about the nature of the movement; furthermore the targets of the attacks were not only the Israeli army as well foreign troops stationed on the territory, but also UN workers and journalists. Hezbollah justified its actions by invoking the right to self-determination. It made the point that its fight was a national struggle for the liberation of the territories occupied by the Israeli army.

With the end of the Lebanese civil war in 1989, Hezbollah faced a challenge. Its environment changed so much that it had to adapt. Lebanon was emerging from two decades of civil war and Lebanese people wanted to peace: therefore how could

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12 Hezbollah website, 'Hezbollah: Identity and Goals', at <[www.hizbollah.org/english/info.htm](http://www.hizbollah.org/english/info.htm)>. It is now impossible to visit the site (last accessed by the author in April 2002 in France). It is possible to have information about Hezbollah on the website at <<http://almashriq.hiof.no/lebanon/300/320/324/324.2/hizballah/>>, accessed 23 May 2007.

13 Hala, J. (1997), 'Interview with Shaykh Na'im Qasim', in *Hezbollah, Born With a Vengeance* (New York: Columbia University Press).

14 United Nations Security Council, *Resolution 425*, 19 March 1978, at <<http://www.yale.edu/lawweb/avalon/un/un425.htm>>, accessed 23 May 2007.

Hezbollah justify deaths and war in Southern Lebanon? Hezbollah legitimated this war by claiming the right to self-determination, was greeted with success and perceived as a hero fighting for liberation. Rafic Hariri even declared in a letter to the US ambassador in Beyrouth that Hezbollah's actions were the ones of a national liberation group retaliating to Israeli terrorism.<sup>15</sup>

The real recognition came with the 1996 cease-fire documents signed between Lebanon and Israel. Hezbollah was not explicitly a party to this agreement as Israel did not recognize the movement.<sup>16</sup> However, in the agreement, Hezbollah is labelled as a warring party and not as a terrorist organization, as the agreement acknowledged resistance within the occupied territory of Lebanon.<sup>17</sup> After that, the international recognition of Hezbollah as a group fighting for self-determination quickly followed.

*An organized movement* The *Majlis al-Shura* is the highest level of the political structure. It is a collegial leadership of 12 members, led by the spiritual leader, Sheikh Muhammad Hussein Fadlallah, and the Secretary-General Hassan Nasrallah.<sup>18</sup> The Majlis meets in secret and takes all the important decisions for the movement. Members are elected every two years by a secret committee. The Majlis is divided into seven groups: spirituality, finances, politics, press and communication, military affairs, social affairs and legal affairs. Each group has its own budget and takes its own decisions. In case of problems, the Majlis decides what to do. Then there are three local councils, one for Bekaa, one for the South and the other for the South of Beyrouth. They are also divided in seven groups. Eventually there are committees in each district, areas or city. This network is the same throughout the entire territory. The movement is very hierarchic and remains grounded in the reality of the Lebanese society. It has been compared to Western Marxist political parties.<sup>19</sup> The structure of the movement makes it hard to cross its threshold, even more to become a spy from within. Hezbollah is very homogenous.<sup>20</sup>

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15 Naim, *supra* note 9.

16 Interview with Colette Avital, Israel's Consul General in New York, conducted by Elizabeth Farnsworth for NewsHour on PBS, 26 April 1996; see <[http://www.pbs.org/newshour/bb/middle\\_east/lebanon\\_peace\\_4-26.html](http://www.pbs.org/newshour/bb/middle_east/lebanon_peace_4-26.html)>, accessed 23 May 2007.

17 Interview with Riyad Tabarrah, Lebanon's ambassador to the US, conducted by Charlayne Hunter-Gault for NewsHour on PBS, 26 April 1996, at <[http://www.pbs.org/newshour/bb/middle\\_east/lebanon\\_peace\\_4-26.html](http://www.pbs.org/newshour/bb/middle_east/lebanon_peace_4-26.html)>, accessed 23 May 2007.

18 'Nasrallah, maître absolu du Hezbollah', *Le Monde Du Renseignement*, 305, 13 February 1997, at <[http://www.intelligenceonline.fr/ps/FR/Arch/LMR/LMR\\_305.asp?rub=archives](http://www.intelligenceonline.fr/ps/FR/Arch/LMR/LMR_305.asp?rub=archives)>, accessed 23 May 2007.

19 Chevaliéras, A. (1997), 'Le Hezbollah, une force politique', *Revue Stratégique*, 66/67, 145–60.

20 It has witnessed only one dissension: Sheikh Tufeyli's March of the Hungers. After he was fired from the movement, Al-Tufeyli gathered the Shia community of the Bekaa that has been deprived from the drug traffic, stopped by Hezbollah. They joined Tufeyli in what is known as the 'March of Hunger'. It was eventually the Lebanese army that stopped Tufeyli. For more information, see Zisser, E. (2000), 'Hizballah: New Course or Continued Warfare', *Middle East Review of International Affairs*, 4:3.

Every political function is doubled with a military function.<sup>21</sup> Political leaders may not become middle-class people living in comfort: they have to remain warriors. Therefore it is necessary to create a perpetual state of war.<sup>22</sup>

The Islamic Resistance (*al-Muqawama al-Islamiya*) is the military branch of Hezbollah. It is a very secret organization, especially since the murder of its leader in 1992.<sup>23</sup> It is an active force of 5,000 members, hidden within society, ready to operate at any time.<sup>24</sup> Its twin sister organization, the Islamic Jihad, is supposed to be the branch that carried out terrorist actions.<sup>25</sup> It has indeed claimed the responsibility for the 1983 attacks against the US embassy in Beyrouth. It has remained silent since 1988.

The secret services of Hezbollah are regarded as one of the best secret services worldwide, having even infiltrated the Israeli army. It collaborates with the Lebanese services.<sup>26</sup> There is also the security apparel and the external security apparel in charge of the movement's security.<sup>27</sup> This is led by Imad Mughniyeh, one of the most wanted 'terrorists'.<sup>28</sup>

It is of course very difficult to know what the budget of the movement is.<sup>29</sup> Many experts agree Hezbollah has 100 million dollars a year.<sup>30</sup> Money comes from Lebanese business groups, private persons, businessmen, the Lebanese diaspora involved in African diamond exploitation, other Islamic groups and countries, and the taxes imposed on Shia citizens.<sup>31</sup> *Bayt al-Mal* is the organization that performs financial services for Hezbollah. It serves as a bank, creditor and investment branch for Hezbollah.

Iran is said to have given 400 million dollars between 1983 and 1989.<sup>32</sup> The money was not directly given to the Hezbollah as such but was distributed through

21 Charara, W. and Domont, F. (2004), *Le Hezbollah, Un Mouvement Islamo-Nationaliste* (Paris: Fayard), 166.

22 'Beyrouth: Le Hezbollah Remanie Sa Sécurité', *Intelligence Online*, 482, 27 August 2004.

23 Sheikh Abbas al Moussaoui was killed by shots from Israeli helicopters.

24 Hala, *supra* note 13.

25 Hamzeh, N.A. (1997), 'Islamism in Lebanon: A Guide to the Groups', *Middle East Quarterly*, The Middle East Forum, 4:3.

26 *Id.*

27 Ranstorp, M. (1997), *Hizballah in Lebanon: The Politics of the Western Hostage Crisis* (New York: Macmillan).

28 Levitt, M. (2005), 'Hezbollah Finances: Funding the Party of God', in *Terrorism Financing and States Responses in Comparative Perspective*, eds J. Giraldo and H. Trinkunas, sponsored by the Center for Homeland Defense and Security at the Naval Postgraduate School, Monterey, California, 2005.

29 Marret, J.L. (2000), *Techniques du Terrorisme* (Paris: Presse Universitaires de France), 40.

30 APA, 'Confidential Report on Hezbollah', 13 January 1989, quoted in Chevaliéras, A. (1997), 'Le Hezbollah, une force politique', *Revue Stratégique*, 66/67, 145–60.

31 'Trafic de drogue: les réseaux latinos du Hezbollah', *Le Temps*, 23 June 2005.

32 National Security Archive (1987), *The Chronology: The Documented Day-by-Day Account of the Secret Military Assistance to Iran and the Contras* (New York: Warner Books).



donations. The situation has changed today as Iran has changed its political viewpoint and is going through a severe economic crisis. There are still personal and individual funds transferring from Tehran to the Hezbollah. The state still gives money for humanitarian actions carried on by Hezbollah: 10 million dollars are given each year to the Martyrdom Foundation.

### *Political Violence*

*Terrorist acts* Hezbollah actions went from hostage-taking to the attacks perpetrated against embassies. The responsibility for these attacks was claimed by the Islamic Jihad, unknown at the time. The suicide attacks directed against Westerners abruptly shook the governmental authorities of the countries targeted about the threat Hezbollah represented. It had until then confined itself to parades in Lebanon.

Violence was used by Hezbollah to realize national liberation of the territories occupied by the Israeli army. M. Fadlallah declared:

I believe that in all cases violence is as a surgical operation which the doctor should only use when he tested all other means. Everyone needs to be defended. If a man needs to use average violent action to defend his people, it is his duty to do it.<sup>33</sup>

This notion of 'duty' can also be found in ANC's discourses: it seems to be a way of legitimizing the resort to violence.

*Weaponry and strategy* Hezbollah has military means and a network to buy weapons. The military organization rests on several military units. There are also the Lebanese Brigades for Defence open to all Lebanese, from all religions, which are used as a back-up. The training centres are in Baalbek, Nabih Shit, Djanta and Djibshit.<sup>34</sup> The soldiers are well trained and much disciplined. They pushed Tsahal to breaking point. The Hezbollah military actions were acknowledged as successful by many war experts. They led an ultra-sophisticated war and forced the Israeli army to adapt to a new field as Tsahal led a classical war.<sup>35</sup> It is believed there are 4,000 soldiers, 50,000 reservists and 2,000 students ready to fight.<sup>36</sup>

*Suicide attacks and martyrdom* Martyrdom or self-sacrifice is a central element to Shia culture as a way to resist oppression. Hezbollah developed that idea and used it to mobilize the Shia community. This mobilization around matters of life and death completed the 'hezbollahization' of the Shia community that saw in the movement's actions and decisions the only way out of its social exclusion and the occupation of the South. The entire Lebanese community was mobilized quickly and Hezbollah's

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33 Wright, R. (1988), 'Lebanon' in *The Politics of Islamic Revivalism: Diversity and Unity*, ed. S.T. Hunter (Bloomington: Indiana University Press), 57–70.

34 Naim, M. (1999), 'Résistance Islamique et brigades libanaises de défense', *Le Monde*, 26 June.

35 Norton, R.A. (1987), *Amal and the Shi'a: Struggle for the Soul of Lebanon* (Austin: Texas University Press).

36 Kramer, M. (1987), *Shiism: Resistance and Revolution* (Boulder: Westview Press).

martyrs are not only Shia. Hezbollah still has several operational groups ready for martyrdom at any time.

Martyrdom is perceived as a strategy to undermine the enemy's focus: how can you fight against a people ready to die and ready to sacrifice its youth? There is also a feeling of permanent insecurity for the occupying force: martyrs could be anywhere at anytime, ready to blow themselves up. Freund said that there is nothing as dangerous as a man who is not afraid anymore:<sup>37</sup> Hezbollahi martyrs are not afraid of death.

### *Ideology*

*The Centres for Study (hawzat al 'ilmiya)* In the 1960s, *ulemas* went to Najaf in Iraq, an important centre of teaching of Shia Islam. It is there, under the direction of Ayatollah Muhammad Baqir Al-Sadr, that Iranian and Lebanese *ulemas* were educated. These circles of study were at the epicentre of Islamism: political Islam was therefore elaborated alongside the ideology of Hezbollah. It is in these circles of study that ideas such as the Islamic republic emerged. It is also there that martyrdom was developed by Ali Shariati as a sacred concept in the war of national liberation.<sup>38</sup> When the *ulemas* went home their task was to launch new debates and to revivify the intellectual life of the Shia community. In the long term the aim was to awaken the community to political and social realities in order to seize power.

Musa al-Sadr was one of those *ulemas* who played an important role within Hezbollah as he gave the ideological bases for activism.<sup>39</sup> The Lebanese *ulemas* played an important role and became the real political motor in the movement: they were the ones to draft the speeches and the programme as well as identify the aim. Consequently Hezbollah is, like the Iranian revolution, a true outcome of Shia political Islam.

*Ideology in the 1980s* At the beginning, the ideology was radical and relied on symbols.<sup>40</sup> Slogans were also essential. The aim was not to recruit individuals but families, clans and villages.<sup>41</sup> The ideology of the group was presented in the

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37 Freund, J. (1997), *Qu'est-ce que la Politique?* (Paris: Editions Point-Seuil, Collection Politique).

38 Shariati, A. (1973), *Jihad and Shahadat*, at <<http://www.shariati.com/>>, accessed 23 May 2007.

39 Ajami, F. (1986), *The Vanished Imam: Musa al Sadr and the Shia of Lebanon* (Ithaca: Cornell University Press).

40 Hezbollah, *Statement of Purpose*, Hezbollah Press Office, 20 March 1998, at <<http://almashriq.hiof.no/lebanon/300/320/324/324.2/hizballah/statement01.html>>, accessed 23 May 2007. See also Hezbollah, *Hezbollah's Views and Concepts*; this document is contributed by Hezbollah through al-Manar TV, Beirut, 20 June 1997, at <<http://almashriq.hiof.no/lebanon/300/320/324/324.2/hizballah/hizballah-background.html>>, accessed 23 May 2007.

41 Raufer, X. (ed.) (1991), *Atlas de l'Islam Activiste* (Paris: Editions de la Table Ronde), 147–51.

1985 manifesto.<sup>42</sup> Ibrahim al-Amin set up the aims of the organization: The first objective of Hezbollah was the fight against US and Israeli imperialism. It included the freedom of Southern Lebanon, and the freedom of all the occupied territories; The second objective was to gather all the Muslims in the concept of *ummah*; then Lebanon would have continued the revolution started in Iran and propagated the *velayat-e faqih* method of ruling; Hezbollah declared that it would also protect all Lebanese communities, except for the ones who collaborated with Israel. Hezbollah added that it supported all national movements throughout the world, including non-Muslim fighting groups.<sup>43</sup> This ideology was very Manichean: Islam is the source of the Truth while the Western world is full of corruption.<sup>44</sup> The discourse of the Hezbollah in the 1980s was close to theories developed by Al Bana or Qutb.

At the time, Hezbollah's mission was to propagate the Iranian revolutionaries' theories and the revolution.<sup>45</sup> However, Lebanese Shia and Hezbollah became gradually independent as the community did not wish to live in the Iranian shadow. Besides, the relations between Fadlallah and the Iranian guide Khomeyni are not very good. Iran is now encouraging Hezbollah in its mutation without interfering.<sup>46</sup>

*Ideology today* The ideology of Hezbollah has changed: it has nowadays a left-wing political speech focused on social justice.<sup>47</sup> It is the champion of minorities' rights. The fight against Zionism is not the first goal anymore and the movement hardly speaks in public of founding an Islamic republic in Lebanon, because it frightens other communities. The political speech has taken over the radical speech.

The ideology is nevertheless double-faced: there is on the one hand the speech for the public and on the other hand a hard and radical speech for Hezbollah's real supporters, denouncing the occupation of Palestine, targeting Israel as the enemy and willing to establish an Islamic republic.<sup>48</sup> Consequently the movement has a double

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42 Hezbollah website at <[www.hizbollah.org/english/info.htm](http://www.hizbollah.org/english/info.htm)>. See *supra* note 12 regarding access.

43 *Id.*

44 Raufer, *supra* note 41, 147–51.

45 Roy, O. (2001), *Généalogie de l'islamisme* (Paris: Editions Hachette, Collection Pluriel), 88.

46 Zittrain Eisenberg, L. (2000), 'Do Good Fences Make Good Neighbours? Israel and Lebanon after the Withdrawal', *Middle East Review of International Affairs*, 4: 3.

47 Roy, O. (1992), *L'Échec de l'Islam Politique* (Paris: Editions du Seuil, Collection Esprit), 15.

48 Consider examples: for a harsh speech, see Address by Hassan Nasrallah on Al Manar, transcript by Intelligence and Terrorism Information Center, Center for Special Studies, 21 February 2005, at <[http://www.intelligence.org.il/eng/sib/2\\_05/img/feb21\\_05.pdf](http://www.intelligence.org.il/eng/sib/2_05/img/feb21_05.pdf)>, accessed 23 May 2007; for a political speech, see Address by Seyyed Nasrallah, speech at mass rally, 8 March 2005, at <<http://www.islamicdigest.net/v61/content/view/1701/40/>>, accessed 23 May 2007.

discourse.<sup>49</sup> Sometimes this double discourse is quite incoherent as Hezbollah tries to please its electors and its militants at the same time.<sup>50</sup>

Hezbollah has media to pass the message along: Al Manar is the television channel and Al Nour is the radio station. There are also many newspapers. The movement also uses the Internet. The media play a very useful role in the psychological war Hezbollah leads against Israel.

## **The Transformation into a Political Party: the ‘Libanisation’ and Mutation of Hezbollah**

### *From Military Victory to a Political Normalization*

Hezbollah could be considered to have been a political party since its birth, when it had a political programme based on political Islam. It was however not a classic political party, with a structure and an electoral programme. It is today an organization that represents a broad community and it intends to influence Lebanese policy.

The political aspect of Hezbollah became crucial after the agreements of Ta’if in 1989: civil war was ending and it was urgent for the movement to change its position on the Lebanese political chess-board. Hezbollah ensured its future by becoming a political party. It began a process of standardization in several major steps. A first political step was to reinforce Hezbollah’s main asset: its reputation. The second political decision was to reinforce Hezbollah’s social structure. The third step was to develop a new political programme.

### *A National Hero, a National Cause*

As the civil war was over but not the occupation of Southern Lebanon, the struggle was still legitimate. However, to ensure its viability and legitimacy, as well as the popularity of its fight and its actions in the South, Hezbollah had to do something more political. It decided to transform its military victories by entering the Lebanese political arena. Hezbollah and its martyrs, thanks to spectacular military operations, made the Israeli military giant fall apart and Hezbollah gained prestige. Martyrs were the last stone to complete a strong edifice around Hezbollah. Resistance was the cement of national unity. The South had become the symbol of that national unity. The military performances of Lebanese resistance sealed an alliance around Hezbollah and there is still a devoted acknowledgement of its actions for the communities of Lebanon. Hezbollah knew how to exploit the myth it had created.

The political transition was helped along by the military reserve Hezbollah observed during the departure of Israeli forces. Sheikh Nasrallah declared at that time: ‘Behave like real Lebanese. We have to preserve this victory with efforts, sacrifices

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49 Seyyed Fadlallah’s speeches are available at <<http://www.bayynat.org/www/english/>>, accessed 23 May 2007.

50 Badro, M. (2003), ‘Le Hezbollah au tournant du 11 Septembre’, background paper for the Raoul-Dandurand en études stratégiques et diplomatiques Chair, January 2003.

and modesty'.<sup>51</sup> Nasrallah wanted to show the world that Hezbollah was a responsible organization, aware of political challenges linked to the Israeli troops' departure. Nasrallah also said: 'Hezbollah's popularity will be rewarded with a political price, especially regarding its essential contribution the freedom of the country'.<sup>52</sup> The transition start was clear and the new role of Hezbollah was reasserted: 'We will work to consolidate civil peace'.<sup>53</sup> Hezbollah had proven it had become a political party in its heart and head.<sup>54</sup> However, as Nasrallah stressed, 'the hardest battle is to come, the battle of normalization, far harder than the military struggle; and it will require more efforts and capacities'.<sup>55</sup> The future of Hezbollah was therefore to see if the movement could find its place in Lebanese multi-partism.<sup>56</sup>

### *The Creation of Social Network and Humanitarianism as the Foundations for a Political Party*

Hezbollah played another major role: the movement took over the State during and after the civil war. It replaced the previous weakened State and tried to fill the social policy and economic vacuum. Fadlallah's objective was that Hezbollah should do fieldwork to be well established within the society. Hezbollah thus became a central actor of Lebanese society. The same scenario was repeated during and after the 2006 war.

Hezbollah has three associations dealing with social work, education and health. These three organizations are everywhere on the Lebanese territory, helping people from all communities. The first association, *Jihad al Binaa*, deals with construction (reconstruction of houses destroyed during the war, construction of houses for widows, former soldiers or recently married Hezbollahi), maintenance of roads (Hezbollah paved the roads) and digging wells and bringing water to zones forgotten by the state.<sup>57</sup> Water is brought by trucks to remote villages.<sup>58</sup> Peasants are helped to reorient their cultures. Animals are taken care of by veterinaries.<sup>59</sup>

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51 Address, Sheikh H. Nasrallah, Bent Jbail, 2000, at <[www.bayynat.com](http://www.bayynat.com)>, accessed 23 May 2007.

52 Naim, M. (1999), 'Hezbollah, un parti politique qui a su se créer une popularité', *Le Monde*, 26 June.

53 Reyes, C. and Perrin, J.P. (2000), 'Y-a-t-il une vie après le retrait?', interview of Sheikh Nasrallah, General Secretary of Hezbollah, *Revue Politique Internationale*, 88.

54 Wright, R. (1985), *Sacred Rage: the Wrath of Militant Islam* (New York: Simon & Schuster), 95.

55 *Voice of the Oppressed*, internal journal of Hezbollah, 3 October 1993.

56 Randstorp, M. (1998), 'The Strategy and Tactics of Hizballah's Current Lebanonization Process', *Mediterranean Politics*, 3:1, 103–34.

57 Attaoui, B. (2001), 'Le Hezbollah marie ses hommes et meuble leurs foyers', *Al-Hayat*, 29 November.

58 Trofimov, Y. (2001), 'US Finds It Hard To Tag Hezbollah As a Terrorist Group', *Financial Times*, 25 December.

59 *Id.*

The second organization, *El-Jarîh*, is in charge of hospitals. After the war, it now takes care of prostheses and sends people needing heavy surgery abroad. It also helps former wounded soldiers to re-adjust into society.

The third organization, *Nova' nasat al shahid*, is entirely devoted to martyrs' families, from financial support to children's education.

Then there is the Emdad association in charge of organizing emergency help in case of natural disasters or wars and of assisting poor people in need.<sup>60</sup> There are other associations such as the one that helps former soldiers to get married or find houses.<sup>61</sup> The aim of Hezbollah was to help the poorest and act where the State had disappeared. It plays today a nation-building role.

Hezbollah owns stores, hospitals and schools open to all communities.<sup>62</sup> It is a state within the state. It provides public services. It is the biggest employer in the suburbs of Beyrouth. That is how it became so popular and why its transition was so smooth: people were eager to vote for it as Hezbollah had demonstrated in the field what it could do. In Lebanon people say that Hezbollah is more than a political party and less than a state. Some speak of 'Hezbollahland'.

Many experts call this process of social and humanitarian actions the 'libanisation' of Hezbollah.<sup>63</sup> Fieldwork is now the trademark of the movement.<sup>64</sup> It gave Hezbollah credit and legitimacy, even a 'degree Libanism' to enter the political arena.<sup>65</sup>

#### *A New Political Discourse, a New Political Project for Lebanon*

The 1985 manifesto presented a radical programme made up of slogans such as the creation of an Islamic republic, struggle against Zionism and the West, and respect for social justice. At the time Hezbollah was not seeking a political acknowledgment but was reaching for military victory. After the Ta'rif Agreements in 1989, the movement had to change: the challenge was to keep its image while presenting a decent political programme.

The first real political programme was established in 1992 for the Parliamentary elections<sup>66</sup> and was still based on political Islam. The wellbeing of communities and social justice were at its centre. Hezbollah still insisted on its struggle to free the South of the country. The military victories of Hezbollah were at the time at the core of the political agenda and discourse. Hezbollah won 12 seats out of 128 seats in Parliament.

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60 Details of the emergency rescue programme can be found on <<http://almashriq.hiof.no/Lebanon>>. Details about Emdad can be found at <<http://almashriq.hiof.no/lebanon/300/320/324/324.2/hizballah/emdad/index.html>>, accessed 23 May 2007.

61 Attaoui, *supra* note 58.

62 Hamzeh, *supra* note 25.

63 Randstorp, *supra* note 56.

64 *Id.*

65 'L'enracinement du Hezbollah', *Revue pour la Palestine*, 2000, March/April, 10–13.

66 Hezbollah, *Statement of Purpose*, Hezbollah Press Office, 20 March 1998, at <<http://almashriq.hiof.no/lebanon/300/320/324/324.2/hizballah/statement01.html>>, accessed 23 May 2007.

The 1996 programme for the Parliamentary elections was not very different.<sup>67</sup> Hezbollah heavily relied on the cease-fire agreements signed that year and on the reaction to the massacre of refugees at Cana by Israeli troops to win new seats. Besides, Hezbollah had been acknowledged as a national freedom movement. It insisted again on human rights, economic rights, social justice and unity of the country. It won 10 seats out of 128.

For the 2000 elections, the movement focused again on human rights, social justice, and on the departure of Tsahal troops.<sup>68</sup> It campaigned on the social services it provided, the fact that its militants gave their blood for the country and presented itself as the protector of Lebanon's sovereignty. The movement won only eight out of 128 seats, with three allies. Together with Amal, the other Shia political party, they won 23 seats. By teaming up, the parties avoided cancelling each others' ballots.

In 2005, the movement declared it had three aims: the adoption of Islam as a way of life with the enforcement of Shari'a, the struggle against corruption and the end of the occupation in Palestine and Western hegemony over the world.<sup>69</sup> Hezbollah said the establishment of an Islamic republic was not a priority anymore and that no one in Lebanon would be forced to adopt the Islamic way of life. It also focused on the struggle against political sectarianism and the reform of the Lebanese political system. Social justice was still a cornerstone of the programme. It won 35 seats, combined with Amal.

The programmes show an evolution in the double discourse of Hezbollah: the clean and neat political discourse relying on a 'liberal' political Islam makes a clear cut between politics and ideology. However, Hezbollah still speaks in coded language when addressing its militants. Indeed members, soldiers or families of martyrs might have been worried about Hezbollah's entrance into the political arena: they might have been afraid they would lose their privileges. Hezbollah has maintained the system for its members so that they will not lose everything because of the politization of the movement.<sup>70</sup> Hezbollah is constantly trying to find a balance between the two types of voters; eventually realities of the political field have caught up on Hezbollah: it has, for example, given up on the establishment of an Islamic republic, a principle which stirred up disagreement within the movement.<sup>71</sup> The debate about the establishment of an Islamic republic is very much alive within the movement but in public Hezbollah pretends to have compromised on the issue and agrees such a republic cannot be set up.

The points developed along the years remain social justice, human rights, communities' rights, economic rights and a more open foreign policy. The programme remains deeply rooted in political Islam, but a liberal political Islam.

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67 Hezbollah, *The Platform: The Electoral Program of 1996*, at <<http://almashriq.hiof.no/lebanon/300/320/324/324.2/hizballah/hizballah-platform.html>>, accessed 23 May 2007.

68 'Hezbollah defines its political role after the Israeli withdrawal, election triumph', CNN, September 2000.

69 Mouzahem, H. (2005), 'Outside View: Hezbollah's Political Future', *United Press International*, 18 March.

70 Randstorp, *supra* note 56.

71 Mouzahem, *supra* note 69.

There are no more extremist or radical interpretations, at least in public. Political Islam is where Hezbollah come from: it is the reason why it exists and why it has so many supporters. How can such a discourse be accepted after 9/11? From a national or regional point of view, Hezbollah appears as keeping up with political Islam, and that is a normal political line. From an international perspective many do not see the difference between a political party advocating political Islam and a terrorist group advocating extreme Islamism.

## Hezbollah after 9/11

### *The Temptation after 9/11 and the Israeli–Palestinian Conflict*

Beyond questions about the political nature of Hezbollah, there were more pragmatic issues: after the withdrawal of the Israeli army and the 2001 attack, the movement faced national, regional and international challenges. At the time many experts declared that the way the Hezbollah would deal with these issues would testify to the political viability of the movement in an environment that has changed so quickly in the last 20 years; it was supposed to be a test for a movement that had stretched to make some many concessions to adapt; some said it might have reached its internal and structural limits to do so.

At the national level, it was legitimate to wonder if Hezbollah could really accept standardization: could it bear to be a mere political party with no real power of action or decision? The movement was and still is well aware of this; its refusal to disarm is partly linked to the desire to remain original on the political scene of Lebanon. That might be why Hezbollah still fights for the Chebaa farms. It is also a way to preserve its military branch in case political action fail. Nasrallah justifies it:

We have no guarantee regarding the future. Israel can invent any reason to enter Lebanon. This is why the mission of Hezbollah is not completed with the withdrawal of the Israelis. In the event of new attack, we will be best adequate to counteract and ensure the Defense of the territory. It is our responsibility and we are not ready to give it up. The Israelis are warned: we will not accept any form of aggression, territorial, from air or the sea.<sup>72</sup>

Disarmament is therefore a real political issue in Lebanon. Hezbollah justifies the armament of Hezbollah as a deterrence weapon against Israel. The aggressive war led by Israel against the movement in 2006 demonstrated that the rationale for not disarming was correct, at least from the viewpoint of the Hezbollah. As far as Israeli is concerned, the state attacked Hezbollah because the latter's actions and armament represented a threat to the nation. The question remains as to what would have happened if Hezbollah had disarmed as it was asked to do: would Israel have mingled with Lebanon's internal affairs and would the war of summer 2006 have taken place?

At the regional level, the relationship between Hezbollah and Israel is a political problem: Hezbollah keeps an aggressive stance and considers that the fight for

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72 Reyes and Perrin, *supra* note 53.



freedom will not be over while a piece of Lebanese territory remains in the hands of Israel. The farms of Chebaa are therefore a big issue. Nasrallah said:

Lebanon claims the return to the international border of 1923<sup>73</sup> and considers therefore that the farms of Chebaa form part of the national territory. As long as there will be an inch of Lebanese soil occupied, the resistance will have the right to continue the struggle combat of which nobody, in Lebanon, disputes legitimacy.<sup>74</sup>

There is also a problem with the qualification of the actions carried out by Hezbollah in the Chebaa farms area: as Israel has withdrawn from the South of Lebanon, the occupation is over as far as the international community is concerned. Consequently, what (legally speaking) are the acts carried out around Chebaa? Are they acts of resistance? A war for self-determination? Terrorist acts? Are the Chebaa farms the next reason for Hezbollah to be at war with Israel? The temptation is strong:

Lebanon, who put America in failure before humiliating Israel, will never let America make assets on its territory for the Israeli enemy, whether they are political or security movements, and will remain the pillar of the Arab and Islamic nation.<sup>75</sup>

Another issue is the help Hezbollah is apparently providing to the Palestinians: the weapons, methods and slogans used today in Palestine are said to be similar to the ones Hezbollah used during its war against Tsahal.<sup>76</sup> A reason why Hezbollah supports Palestinian movements might also be that the movement is trapped by its own rhetoric and has no other choice but to support the Palestinian struggle in the Israeli–Palestinian conflict.<sup>77</sup>

Eventually, there are international challenges for Hezbollah, especially since 11 September 2001. Since then, the world has adopted a clearly aggressive attitude towards Islam, Islamic countries and Islamic organizations. What are the consequences for Hezbollah? 9/11 was an earthquake for the movement. Its militants saw in the attacks a new beginning for Hezbollah as a terrorist organization, while the leaders tried to minimize this impact and upheld a political face. An example of the tension was the removal of an advertisement designed for Al Manar, Hezbollah's television station, which had the following slogans: 'Zionists: you are in danger in Tel Aviv. For your own security, we advise you go back to Europe or the United States'.<sup>78</sup> Hezbollah gave up on the advertisement but one of the members of Al Manar's board said: 'Ben Laden screwed it up. Now we have to create a new ad'.<sup>79</sup>

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73 The Paulet-Newcomb border was settled in 1923 in a convention between France and the UK.

74 Reyes and Perrin, *supra* note 53.

75 Address of Sheikh Qaouq, meeting of Arab *ulemas* in favour of the Intifada, Lebanon, at <[www.naharnet.com](http://www.naharnet.com)>, accessed 23 May 2007.

76 Byman, D. (2003), 'Should Hezbollah be Next?', *Foreign Affairs*, November/December.

77 'Jusqu'où ira le Hezbollah?', *Daily Star*, 19 April 2002.

78 Trofimov, *supra* note 58.

79 *Id.*

What did Ben Laden do? Did he steal the idea of liberation of Muslim's people from Hezbollah? Or the fight against Zionism? Or the support for the Palestinian cause? Or did it mean that Ben Laden 'screwed' all the Hezbollah's efforts to find a political legitimacy? Does it mean Ben Laden's attacks undermined the constant balance Hezbollah tries to reach between political discourse and a militant discourse, forcing Hezbollah to adopt a harsher stand? It is clear that Ben Laden's and Al Qaeda's actions throughout the world today have an impact on Hezbollah's political future. The proof is that right after the assassination of Rafic Hariri, Hezbollah was accused of carrying out the murder.

The 9/11 attacks were condemned by Fadlallah. So were the terrorists attacks carried out after 2001. He clearly made a distinction between Al Qaeda's actions that target civilians and Hezbollah's actions that targeted only combatants.<sup>80</sup> Hezbollah understood the risks of 9/11 for a movement with such a heavy past. The blow came from the US, where the government not only put back the movement on its terrorist list; it also asked the Lebanese government to freeze the funds and to disarm the movement. The government of Lebanon refused. The Lebanese government reminded the US government that Hezbollah was already a proper political party. In a way, Lebanon decided to trust Hezbollah, which is exactly what the movement needed at that point.

### *The Struggle for a New Lebanon*

The departure of Syria was a political blessing as Hezbollah has gained a new political power. It is also a problem as now the US is pressing for the implementation of Resolution 1559, which requested the departure of the Syrian troops but also the disarmament of Hezbollah. So in people's minds, the events are linked. Now that there is (in appearance) no more threat to Lebanon's sovereignty coming from Syria, Hezbollah should disarm to become what the US government calls a 'full political party'. Resolution 1559 is perceived by Hezbollah as a request formulated by the Israeli government and the fact that Hezbollah is called a 'Lebanese militia' shows this influence.<sup>81</sup> Disarmament is therefore a main issue. Some say Hezbollah will not disarm unless it gets real political guarantees in exchange.

Another issue Hezbollah has to struggle with now that Syria is gone is the plan of the US government to improve the representations of all factions and political parties in Lebanon. The US is far less accommodating towards Hezbollah than Syria was. The growing political popularity of Hezbollah worries the US government.<sup>82</sup> There is a clear wish of the US to break Hezbollah.<sup>83</sup> Even though a 2002 Congressional Research Service report notes that Hezbollah has not carried out any major terrorist

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80 Interview conducted by G. Minassian with Sheikh Naiim Kassem, *Le Monde*, 16 January 2002.

81 Address by Nasrallah, Al Manar TV, 19 February 2005.

82 Shanahan, R. (2005), 'Hizballah Rising: The Political Battle for the Loyalty of the Shi'a of Lebanon', *Middle East Review of International Affairs*, 9:1, March.

83 Bouzeghrane, N. (2005), 'L'Internationalisation est très dangereuse', *El Watan*, Economie Supplément, 16, 14 March.

attacks since 1994<sup>84</sup> and a 2005 State Department report<sup>85</sup> on international terrorism also fails to note any acts of terrorism by Hezbollah, the US maintained its position. In March 2006, the US House of Representatives passed a resolution condemning the continuous terrorist attacks perpetrated by Hezbollah and qualifying Hezbollah as a terrorist group.<sup>86</sup>

Despite all the US intentions, there is a reality all forces and actors must deal with: Hezbollah still is the largest single political block in Parliament.<sup>87</sup> One of the major issues is that the Israeli Administration and the Bush Administration have refused to face this reality: Hezbollah is popular and has been elected through a fair democratic process. By mis-addressing the issue and using force, Israel and the US have only reinforced the image of Hezbollah as a movement struggling for self-determination and the good of all Lebanese communities.<sup>88</sup> There had been a shift in 2005 when the Bush Administration declared that it was ready to support France and the UN in ensuring political pluralism in Lebanon.<sup>89</sup> It was perceived by many as an indirect way of acknowledging the existence of Hezbollah and its political role. One of the main reasons behind this decision was the will of the US, the UN and France not to alienate the entire Lebanese Shia community after the departure of Syria and paved the way to Shia political groups during the Parliamentary elections. Another argument stated by France was to push Hezbollah towards politics, and politics only.<sup>90</sup>

Hezbollah has so many missions at the same time that one can wonder if it is not time to choose between the military actions, the guerrilla activity, the state within the state, the champion of the Shia community and a full political party. Which aspects of the movement will come first?<sup>91</sup>

Many experts say Hezbollah will not be able to go further. Until now, Hezbollah has just been an opposition party. What could be the political interests of Hezbollah in the long term? Experts say the movement has to use violence again otherwise it will disappear: for them, Hezbollah has become a rebel without a cause. Others wonder about the relationship between power and Hezbollah: if Hezbollah rises to power, what will happen? Will there be another Islamic republic? Will the coming elections give the answer? Are the US and France aware that by enforcing Resolution 1559 upon Syria, Hezbollah is now free from its sole political burden and that it could win elections tomorrow?

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84 Katzman, K. (2002), *Terrorism: Near Eastern Groups and State Sponsors* (Washington DC: Congressional Research Services).

85 US Secretary of State (2005), *Country Reports on Terrorism*, US Department of State.

86 Zunes, S. (2006), 'Jihad against Hezbollah', *Foreign Policy in Focus*, 4 August.

87 Aima, A. (2005), 'They can March too: Hezbollah and the Politics of Staged Protests', *Common Dreams*, 7 March, at <<http://www.commondreams.org/views05/0307-21.htm>>, accessed 23 May 2007.

88 *Id.*

89 Weisman, S. (2005), 'US Called Ready to see Hezbollah in Lebanon Role', *New York Times*, 10 March.

90 Weisman, *supra* note 89.

91 Byman, *supra* note 76.

There is no doubt that Hezbollah is at a crossroads today: it can either decide to go on with politics and become a peacemaker in a divided Lebanon, still under terrorist threat. There is in any case a need for new internal changes and political choices so why not become a peacemaker?

### The 2006 War with Israel

The evolution of Hezbollah was a model for other movements: it made a successful transition from an organization carrying out terrorist actions, though for some they were acts of liberation, to a full political party, despite what the US government believes. The movement understood that it had more to gain from fair elections than from violence and it gained legitimacy. What characterizes Hezbollah is probably its pragmatism.<sup>92</sup> It might be difficult for other organizations to follow its path, especially for groups like Al Qaeda that are nihilist.

Despite paradoxes and contradictions, Hezbollah gradually evolved into a political organization despite the fact that its leaders still believed in the notion of resistance (*muqawama*).<sup>93</sup> If the withdrawal of the Israeli troops from Southern Lebanon in May 2000 added to Hezbollah's prestige,<sup>94</sup> no one could know what would be the outcome of the asymmetrical war. One point was clear: when Hassan Nasrallah, the leader of Hezbollah, spoke against the UN resolution that called for disarming Hezbollah and claimed that the movement needed 'weapons for resistance' (*slah al-muqa'wama*) against Israel, he could have not better foretold what would come next.<sup>95</sup>

The image of a terrorist group that successfully turned into a political movement was shattered during the summer of 2006. Hezbollah declared 2006 to be 'the year of retrieving the prisoners'.<sup>96</sup> Nasrallah publicly stated that Hezbollah planned to capture Israeli soldiers so as to exchange them with Arab prisoners held in Israel and Hezbollah leaders such as Samir Kuntar, also held in Israel.<sup>97</sup> This is why some Israeli soldiers were kidnapped. Hezbollah hoped to proceed to an exchange: the Israeli response was war.

The 2006 war was a disproportional response by Israel to the abduction of an Israeli soldier. The bombings and killings that ensued happened at a very peculiar time for Hezbollah and Lebanon. Syria had withdrawn from a very polarized Lebanon, still under shock after the assassination of former president Rafic Hariri. Despite being a showdown between Hezbollah and Israel, this war was also an opportunity for Hezbollah to test its popularity and the national cohesion after very

92 Charara and Domont, *supra* note 21, 166.

93 International Crisis Group (2006), *Israel/Palestine: Climbing out of the Abyss*, Middle East Report No. 57, 25 July, 9–10.

94 Ayoob, M. (2004), 'Political Islam: Image and Reality', *World Policy Journal*, vol. XXI, no. 3, Fall, 7.

95 *An-Nahar*, 5 September 2004.

96 Saad-Ghorayeb, A. (2006), 'Hezbollah's Apocalypse Now', *The Washington Post*, 23 July.

97 *The Daily Star*, 26 November 2005.

disturbing events. Despite the fact that the kidnapping operation was launched by Hezbollah without the support of the Lebanese government, the war soon gave rise to national unity because of the systematic killings of civilians and the destruction of infrastructures.

For many experts, Resolution 1159 was at the core of the war: ‘The [anti-Syrian] parties were unable to disarm Hezbollah through politics, so Israel is forcing the issue on the battlefield, as are those that support Hezbollah’.<sup>98</sup> However, the perception was different in Lebanon: most Lebanese perceived Israeli actions as interference in national Lebanese affairs. Others disagreed with Hezbollah policy and accused the movement of jeopardizing the country to assert the movement’s authority; others also said Hezbollah’s behaviour undermined the legitimacy not only of the movement but of the Lebanese political system that looked as if it tolerated the exercise of violence by a political party.<sup>99</sup> As a parliamentarian said:

The first victim of this operation was the Lebanese government and the second victim was the Lebanese people. I believe it is completely unacceptable that the decision to go to war should be left in the hands of any individual Lebanese or party. This is a decision that the government has to take and the government has to ensure it is the only party that can make a decision like this.<sup>100</sup>

Hezbollah found itself in a very difficult situation during this war: the abduction, the retaliations to Israeli bombings and Nasrallah’s discourses made the movement look more like a militia than a political party. Hezbollah appeared as a terrorist group with no clear political programme, as the abduction of a soldier does not constitute a political act but a war declaration. Therefore, it is legitimate to wonder what Hezbollah’s strategy was: did the movement seek to compete with Al Qaeda on the international scene? Did it try to reassert its military power vis-à-vis other regional powers? Or was it a sign that the time of Hezbollah as a political party was over?

Many experts have tried to understand Hezbollah’s strategy. For some, it was a way of reasserting the ‘importance of its resistance and of its unrivalled efficacy as a deterrent to a threat posed by Israel’.<sup>101</sup> The competition with Hamas in that matter is also underlined. At a more regional level, some questioned the outburst of this war with Israel a time of the debate surrounding nuclear energy in Iran.<sup>102</sup> This is simplistic geostrategy as Iran perhaps provides money but has no political power or direction over Hezbollah. As Hussein el Hajj Hassan, a Hezbollah parliamentarian, said, ‘Iran has no interest in pushing Hezbollah toward a confrontation that could weaken it at a time when Tehran needs to preserve all its cards’.<sup>103</sup> What is clear is that Hezbollah managed to get something out of this confrontation by once more appearing as an anti-Israeli and anti-imperialist champion. It asserted ‘resistance’ as

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98 Derhally, M.A. (2006), ‘The Sound of War’, *ITP Business*, 23 July.

99 *Id.*

100 *Id.*

101 Saad-Ghorayeb, *supra* note 96.

102 International Crisis Group, *supra* note 93.

103 Crisis Group interviews, Hizbollah leaders and intellectuals, Beirut, July 2006 in International Crisis Group, *supra* note 93.

its core identity and to 'serve as an inspiration, as an exemplar of bold action against Israel and, by extension, against Arab regimes that have allied themselves with the United States and Israel'.<sup>104</sup> It was also an opportunity to move onto Al Qaeda's field by rekindling the spirit of Arab nationalistic resistance:

There is also this notion that to exist Hezbollah must keep its initial stance: Israel should go back to its first borders. As Hussein el Hajj Hassan's words, the goal is to 'maintain our initial stance, in other words an unconditional ceasefire and indirect negotiations and exchange on the matter of the prisoners'.<sup>105</sup> Besides as Nasrallah put it: 'The victory we are talking about is when the resistance survives. When its will is not broken, then this is victory ... When we are not defeated militarily, then this is victory ... in addition to this, when the Israelis begin to make concessions'.<sup>106</sup>

Hezbollah militants are quite optimistic about the future of the movement.<sup>107</sup> Israel's disproportionate response reinforced the position of Hezbollah as a regional and national defender of Arab values. Hezbollah demonstrated the power of its army and its capacity to go at war, therefore worrying regional and non-regional actors. Israel counted on all segments of Lebanese's civilian population to criticize Hezbollah for its actions but it all backfired when the Israeli army targeted civilians and destroyed the country's infrastructures. There are of course large segments of the population that blame Hezbollah for dragging the country into such a violent war. The compassion for civilian victims is, however, strong and serves as a reservoir of national unity, especially as most victims were Muslims.<sup>108</sup>

Hezbollah came out victorious from the 2006 war: it has indeed made a point by proving that Israel is a threat for Lebanon. The party was always keen to convince others of the importance of its resistance: it had there a brilliant demonstration of its theory regarding Israel. It has also demonstrated that the state of Lebanon and its government are unable to react and speak with one voice when there is a threat. Was it therefore a strategy to demonstrate that there is no state and that only Hezbollah can provide a secure state for Lebanon? Indeed when the war began, the state of Lebanon did not even send the army to protect the population and fight back. The only one who appeared as a statesman then was Nasrallah and only his troops seemed to be able to cope with the situation.<sup>109</sup> The Hezbollah came out victorious from the war while the Fouad Siniora government failed. As Ghorayeb has underlined it, it has become an existential struggle.<sup>110</sup> In addition, Hezbollah has succeeded in elevating its regional importance and demonstrating to the world that it is not Iran's puppet. And eventually, Hezbollah has reasserted itself as an Islamic liberation movement, or a 'spearhead of the [Islamic] *umma*', as Nasrallah said in one of his television

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104 Saad-Ghorayeb, *supra* note 96.

105 Crisis Group interview, Hussein al-Hajj, Beirut, 21 July 2006, in International Crisis Group, *supra* note 93.

106 Hassan Nasrallah interview, Al-Jazeera television, 21 July 2006.

107 International Crisis Group, *supra* note 93, 13.

108 Chalabi, T. (2006), 'Letter from Beirut', *Prospect*, August 2006.

109 Derhally, *supra* note 98.

110 Saad-Ghorayeb, *supra* note 96.

speeches.<sup>111</sup> It has therefore set itself as a model of struggle against Israel, a field Al Qaeda is very eager to cover. That is why Nasrallah called the summer 2006 war the *ummas' war*.<sup>112</sup>

However, Hezbollah seems to be in a political impasse. For some the only outcome now would be a political crisis that would drive Hezbollah out of the government, which is what happened shortly after the end of the 2006 summer war. But Hezbollah was not driven out of the government as many experts planned: it left it before anyone could react. If some might have wondered about the political nature of Hezbollah before this war, now there are even more questions. After the resignation of the Hezbollah ministers along with Shia ministers on 11 November 2006, Hezbollah has not played a major political role. It has largely withdrawn its military presence from Southern Lebanon in accordance with UNSCR 1701 but the movement remains armed. It seems that the future of the movement will very much depend on its capacity and will to disarm. Disarmament is not going to be an easy task: it is essential that disarming Hezbollah is neither a step to re-marginalize the Shia community nor targeting their political empowerment.<sup>113</sup> The most likely scenario would be for the group to retain some of its arsenal, but under a symbolic integration into the Lebanese army.<sup>114</sup> One could also wonder why Hezbollah would disarm with no money in exchange: it has been said that perhaps there could be compromises: Hezbollah would disarm if Lebanese politics was free from any foreign interference and if the Shebaa farms territory was freed.<sup>115</sup> Hezbollah could also go back to its social roots.

## Concluding Remarks

The evolution of the movement from a terrorist group to a political party has been one of the more interesting and hopeful developments in the Middle East in recent years.<sup>116</sup> The changes were deep and the movement underwent a genuine transformation. This is why Hezbollah can not be approached or studied as a terrorist group, such as Al Qaeda: it always had a political project and has managed to develop it into something viable defined as an Islamo-nationalist movement.<sup>117</sup> The group's objectives remain somewhat paradoxical, especially in the Lebanon of post-summer 2006.

The Hezbollah was a very good example of a group at the border between the struggle for self-determination and terrorism. Questions are raised today as to its nature. What should be underlined is that 'the resistance' as incarnated by Hezbollah

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111 *Id.*

112 Rougier, B. (2007), 'Islamismes Sunnites et Hezbollah', *Monde Diplomatique*, January 2007.

113 Hasbani, N. (2006), 'Hezbollah Disarmament', *Al-Hayat*, 7 July.

114 Fielding-Smith, A. (2006), 'Between Politics and War: Hezbollah in the Spotlight', *Open Democracy*, 22 May, at <<http://www.opendemocracy.net/xml/xhtml/articles/3569.html>>, accessed 23 May 2007.

115 *Id.*

116 Zunes, *supra* note 86.

117 Charara and Domont, *supra* note 21.

could be used an advanced platform of patriotic participation and republican citizenship. More precisely, Hezbollah would be in the process of subordinating the Islamic *nation* to the Lebanese *state*.<sup>118</sup>

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118 Ben Jelloun, M. (2005), 'Hizbullah's Two Republics', *Al Ahrām Weekly*, 15–21 February.



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## Chapter 3

# Political Movements in the Making: the Irish Republican Army and Sinn Féin

Anisseh Van Engeland

Who here really believes we can win the war through the ballot box? But will anyone here object if, with a ballot paper in this hand and an Armalite in the other, we take power in Ireland?<sup>1</sup>

‘Early this morning, I signed my death warrant.’ When the character of Michael Collins pronounced these words in the movie devoted to this Irish hero of the resistance,<sup>2</sup> right after signing the Anglo-Irish Treaty that parted Ireland, he summarizes in few words the history of the Irish Republican Army (IRA) and Sinn Féin: although these two linked movements have been deeply political, any attempts to negotiate a political and peaceful solution for the country has often been stigmatized. The two groups have always been caught between political actions and violent actions. The day Michael Collins was forced to act politically and negotiated the partition of Ireland, he signed his death warrant, as many IRA and Sinn Féin activists were still supporters of violent actions to free the whole country. Political compromises were not part of the IRA’s methods despite the fact that the group always had a strong political background. The IRA’s creation was even preceded by the creation of the independent political movement Sinn Féin with the same aim as the IRA: self-determination. The IRA and Sinn Féin’s futures have always been intertwined: with time, Sinn Féin (it means ‘ourselves’ in Gaelic) became the political window of the IRA while keeping its independence, unlike Batasuna in Spain.

Michael Collins paid dearly for creating the IRA,<sup>3</sup> nevertheless the movement was, until 2005 when it suspended its violent activities, the oldest operating terrorist group in Western Europe.<sup>4</sup> The IRA and Sinn Féin remained faithful to their goal which was full self-determination. However, the situation has evolved since the creation of the two movements: steps were taken towards political solutions in the 1990s and have led to fruitful political results for both movements. We cannot say today that the IRA has evolved positively from a group using political violence to

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1 Doctrine of Sinn Féin formulated by Danny Morrison at the party’s *Ard Fheis* (Annual Conference) in 1981.

2 *Michael Collins, Realization*: Neil Jordan, Warner Home Video, 7 November 2001.

3 The assassination of Michael Collins occurred when he attended the meeting of IRA officers where preparations for the attack were made. See Mills, M. (1998), ‘Blood on his hands’, *Magill Magazine*, January.

4 MIPT Terrorism Knowledge Base, ‘IRA’, updated 30 March 2007, at <<http://www.tkb.org/Group.jsp?groupID=55>>, accessed 29 July 2007.

a political actor as it never was a political actor. The IRA has always had a political platform but it left to Sinn Féin the role of political actor. It was the latter that was in charge of all political negotiations and that is today elected. The IRA was, in a remote way, the military arm of Sinn Féin, although the movements and the structures were separated. What we can say is that Sinn Féin found its place in Northern Ireland's political landscape and that the IRA's decision to stop using violence has been essential to this political achievement.

### **The Struggle for Liberation in the Early Years and the Political Actions of the IRA and Sinn Féin**

The IRA and Sinn Féin were both created at the beginning of the twentieth century. From the very beginning, their futures were interlocked despite the fact that the movements were independent from one another and had different structures. What is striking is that the two movements that had the same aim, self-determination for Ireland, chose very different paths to realize this aim. Sinn Féin was a peaceful movement looking for political solutions while the IRA opted for political violence. One cannot, however, ignore the fact that the IRA was deeply political and the internal struggle that took place from its birth until the end of the Irish civil war in 1923 clearly demonstrates it.

#### *The First Period of the IRA: from 1919 to 1922*

The history of the IRA goes back a long way and the struggle for self-determination has deep and ancient roots in Irish history. The IRA, or *Oglaigh na hEireann*, the old IRA as it is called to refer to the period that goes from 1919 to 1923, was a military organization created by Michael Collins<sup>5</sup> that was the direct inheritor of the Irish Volunteers and the Irish Citizen Army of James Connolly.<sup>6</sup> The main root of the IRA's birth lies in the Easter Rising of 1916 and the executions of most rebels afterwards.<sup>7</sup> A convention took place in October 1917 in Dublin, the IRA convention, and this occurred at the same time as the Sinn Féin conference. It gathered all the former Irish volunteers, except those who had been killed during the Rising or interned. The convention was presided over by Eamon de Valera who was also the President of the Sinn Féin. So the links between the IRA and Sinn Féin were clear from the beginning. De Valera was also elected head of the IRA along with 26 members of a board. Six of them were also members of the Sinn Féin National Executive. It explains why the IRA always had a strong political background. Sinn Féin had

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5 Coogan, T.P. (1992), *The Man who Made Ireland: The Life and Death of Michael Collins* (Boulder: Roberts Rinehart); Hochard, C. and Kitson, S. (1998), 'A propos de "Michael Collins"', *Vingtième Siècle*, 57, January/March, 150–153.

6 Faligot, R. (1997), *James Connolly et le mouvement révolutionnaire irlandais* (Rennes: Éditions Terre de Brume); Paul-Dubois, L. (1927), *Le drame irlandais et l'Irlande nouvelle* (Paris: Librairie Académique, Perrin et Cie, 52–8).

7 BBC Archives, Easter Rising, at <<http://www.bbc.co.uk/history/british/easterrising/newspapers/>>, accessed 29 July 2007.

parliamentarians elected in 1918. They had promised that if they were elected they would not take their seats in Westminster but instead would set up an independent 'Assembly of Ireland' (*Dáil Éireann*). The IRA was officially recognized by the *Dáil Éireann* in 1919 as being the legitimate group fighting for the rights of the Irish people and self-determination.<sup>8</sup> The fact that it was a political assembly that acknowledged the existence of the IRA shows how political this group was. It was also the sole representative of the Irish republic born on the ashes of the 1916 Easter Rising, which reinforced the political aspect of the IRA.

If the internal structure of the IRA was political, the actions led by the group were violent: it led a guerrilla war against the Crown forces of Ireland until 1921. Many British figures and Irish collaborators were assassinated. The IRA, organized in flying columns, struck everywhere. It ambushed mainly politicians and army members but some civilians were also victims of the conflict. The war ended in 1921 with the signature of the Anglo-Irish Treaty.<sup>9</sup> The signature of the Treaty not only divided the country in two: it also marked the beginning of internecine wars and the split of the old IRA and Sinn Féin between the supporters of the Treaty and those who were anti-Treaty.<sup>10</sup> These schisms led to the civil war that took place from 1922 to 1923.

#### *The Second Period of the IRA: from the 1920s to the 1960s*

In 1926, after failing to persuade Sinn Féin to participate in the political institutions of the Free State and tired of the political abstention that was a way of passive reform adopted by the party, de Valera formed a new political party called *Fianna Fáil* ('Soldiers of Ireland', often wrongly translated as 'Soldiers of Destiny'<sup>11</sup>), a centrist party. Many Sinn Féin and IRA members left to support him. De Valera's party was elected.<sup>12</sup> De Valera had a more proactive perception of politics: where the Sinn Féin refused to sit in Parliament, de Valera believed in entering the existing system.

What came out of these internal wars was the wish to play a role in politics: it seems that from the very early days, both the IRA and Sinn Féin, as well as all movements gravitating around them, were aware of the importance of having a political weight to implement their ideas. These movements also manipulated politics to ban one another: for example, when the IRA got close to some extremist movements such

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8 The *Dáil Éireann* is the Irish Assembly that held its first elections in 1918. Sinn Féin held the majority at the time. The first *Dáil Éireann* was established in 1919, although most of its elected members were imprisoned. The existence of this assembly was declared illegal by the British government and its sessions occurred in secret.

9 The Anglo-Irish Treaty, 6 December 1921, at <<http://cain.ulst.ac.uk/issues/politics/docs/ait1921.htm>>, accessed 29 July 2007.

10 The term *The Irregulars* was first coined by Piaras Béaslaí; see Coogan, T. (1990), *Michael Collins: A Biography* (London: Hutchinson), 98–9).

11 O'Dónaill, N. (1977), *Foclóir Gaeilge-Béarla (Dublin: An Gúm)*, 512.

12 O'Riordan, T., 'Eamon de Valera: The Pursuit of Sovereignty and the Impact of Partition, 1912–1949', Cork Multitext project, at <[http://multitext.ucc.ie/d/Eamon\\_de\\_Valera](http://multitext.ucc.ie/d/Eamon_de_Valera)>, accessed 29 July 2007.

as the Blueshirts, de Valera banned it.<sup>13</sup> From 1922 to 1936, de Valera was rid of his main political opponent. During these events, the IRA in Northern Ireland was undergoing an evolution summarized by Peadar O'Donnell, a left-wing IRA leader: 'we don't have an IRA battalion in Belfast, we have a battalion of armed Catholics'.<sup>14</sup> Indeed, the IRA was now struggling for the rights of Catholics in Northern Ireland as well as for the self-determination of the six counties. This strongly influenced its actions; the fact that O'Donnell spoke of a battalion rather than voters or militants also shows, other than defending Catholics from sectarian riots, that the IRA in Northern Ireland was in full evolution. However, it had not yet opted out of the political option: the 1950s saw a period in which the IRA, in Northern Ireland, did not use force and instead supported political actions and demonstrations in favour of rights. It soon considered that the British government remained indifferent to the state of Northern Ireland and this contributed to the awakening of the IRA, which began attacking border posts and British military installations. The reason why the new IRA decided to copy the old IRA and use political violence seems similar to the rationale of the ANC: the occupying force did not take the rights of Catholics into account; Catholics were second-class citizens in their countries, just like non-White communities in South Africa. Peaceful actions led nowhere and were, like in South Africa, repressed. This is probably why the IRA decided that acting outside the political sphere would bring more positive outcomes.

### **The Mutation of the IRA in Northern Ireland in the 1960s: a Full-Time Terrorist Group**

#### *The Schisms*

In 1969, the 'Troubles' began and lasted for more than 30 years. In 1970, the IRA split into two rival factions, the Official IRA and the Provisional IRA, which we shall refer to here as the (P)IRA.<sup>15</sup> The Official IRA, with its Marxist-oriented ideology, was opposed to an armed campaign against the British and would later declare an indefinite ceasefire in 1972.<sup>16</sup> It declared: 'The overwhelming desire of the great majority of all the people of the north is for an end to military actions by all sides'.<sup>17</sup> Hard-line members of the IRA supported a traditional republican ideology and were opposed to the Official IRA's leftist views. They formed the (P)IRA and

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13 Kissane, B. (2007), 'Éamon de Valéra and the Survival of Democracy in Inter-War Ireland', *Journal of Contemporary History*, 42, 213–226.

14 Hanley, B. (2002), *The IRA 1926–36* (Dublin: Four Courts Press); Ó'Driscóil, D. (2001), *Peadar O'Donnell* (Cork: Cork University Press).

15 MIPT Terrorism Knowledge Base, *supra* note 4.

16 BBC, 'On This Day: 1972: Official IRA declares ceasefire', at <[http://news.bbc.co.uk/onthisday/hi/dates/stories/may/30/newsid\\_2973000/2973759.stm](http://news.bbc.co.uk/onthisday/hi/dates/stories/may/30/newsid_2973000/2973759.stm)>, accessed 29 July 2007.

17 *Id.*; Cox, M. (1997), 'Bringing in the "International": The IRA Ceasefire and the End of the Cold War', *International Affairs* (Royal Institute of International Affairs), 73: 4, 671–93.

used violence against the British troops in Northern Ireland. Their aim was to protect Catholic civilians from British repression. After the 1972 ceasefire declared by the Official IRA, the (P)IRA became *the* IRA, and kept fighting for the removal of British troops and the freedom of Northern Ireland.<sup>18</sup> The British power responded with the introduction of internment without trial in 1971. It is interesting to stress that self-determination groups and the State against which they fight enter into a dynamic: the ANC and the IRA both wanted self-determination for the people; they both opted for non-violent actions. The respective States did not listen to these requests and tried to muzzle the groups. The turning point happens when the movements realize they are not being heard; they turn to violence. It is at this point legitimate to wonder whether State repression justifies the use of violence.

Indeed, (P)IRA believed in violence as a way to achieve self-determination: its methods included bombings (particularly car bombs), assassinations, kidnappings, punishment beatings, extortion, smuggling and robberies.<sup>19</sup> The targets were the British military and officials but also Protestant civilians and Protestant paramilitary groups.

In 1986, there was a new split within (P)IRA: the Continuity IRA (CIRA) broke from the main current when (P)IRA ended its policy of political abstention and therefore recognized implicitly the authority of the Republic of Ireland.<sup>20</sup> Indeed, during a convention, IRA delegates voted to allow Sinn Féin candidates to take their seats in Leinster House, if elected. Part of the (P)IRA acknowledged that violence would not lead them anywhere: they opted for proactive politics instead.

CIRA (also called ‘the Contos’ or ‘the Army’ or ‘the RA’) was a paramilitary organization. It claimed to be the legitimate continuation of the IRA, basing its argument on the view that the anti-Treaty members of the Second Dáil ‘transferred the right to establish a Republican government to the Army Council of the IRA’ in 1938.<sup>21</sup> CIRA still exists today and is an illegal organization under British law (section 11(1) of the Terrorism Act 2000) and under Irish law.<sup>22</sup> Membership of this organization is punishable by a sentence of up to 10 years’ imprisonment under British law.<sup>23</sup> The US government added CIRA to its list of foreign terrorist organizations.<sup>24</sup> It became active only after the 1994 ceasefire. It has not yet announced its will to join

18 Jackson, B.A. (2006), ‘Training for Urban Resistance: the Case of the Provisional IRA’, in *The Making of a Terrorist: Recruitment, Training, and Root Causes*, ed. J. Forest (Westport: Praeger Security International), vol. II, 119–135.

19 MIPT Terrorism Knowledge Base, *supra* note 4.

20 White, R. and O’Brádaigh, R. (2006), *The Life and Politics of an Irish Revolutionary* (Bloomington: Indiana University Press).

21 Bowyer Bell, J. (1979), *The Secret Army* (Dublin, Irish Academy Press), 154.

22 Statutory Rules and Orders, 1939, No. 162; Unlawful Organisation (Suppression) Order, 1939, Irish Statute Book Database; O’Hanlon, K. (2005), ‘Membership of Real IRA was a Terrorism Offence’, *The Independent*, 25 May.

23 House of Commons Hansard Debates for 30 October 2002 (pt 8), House of Commons website, 30 October 2002, at <<http://www.publications.parliament.uk/pa/cm200102/cmhansrd/vo021030/debtext/21030-33.htm>>, accessed 29 July 2007.

24 ‘CIRA added to US terror list’, BBC News, 13 July 2004, at <[http://news.bbc.co.uk/1/hi/northern\\_ireland/3891791.stm](http://news.bbc.co.uk/1/hi/northern_ireland/3891791.stm)>, accessed 29 July 2007.

the truce. This group has known major internal splits. It might have planted bombs in 2005 and 2006.<sup>25</sup>

The next split occurred in 1997 when the Real IRA was formed to protest against the peace process. This paramilitary organization also believes the use of force is necessary. It has been responsible for a number of bombings, including the Omagh bombing which killed 29 people in 1998.<sup>26</sup> It is still active today.

These splits demonstrate that there are hard-core militants of the IRA who refuse peaceful and political solutions. They believe their aims cannot be reached except by violent terrorist actions.

*The Civil Rights Movement and the End of Political Aspirations in 1972: the Revival of the IRA*

The emergence of the civil rights movement in the mid-1960s changed the political situation: Catholics seemed to be drawn to a political movement and the IRA was set aside until the second Bloody Sunday.<sup>27</sup> The claim at the time was for the end of the second-class citizen's status that Catholics were enduring. Catholics asked for basic rights such as housing and voting. There were peaceful demonstrations and sit-ins.<sup>28</sup> Politics was in the streets and the IRA was not a participant in that movement.<sup>29</sup> Everything changed with the second Bloody Sunday in 1972:<sup>30</sup> 14 people peacefully demonstrating were killed by the army. After this event, that strongly reminds of the Sharpeville massacre in South Africa, (P)IRA recorded increased recruitment to its ranks.<sup>31</sup> Catholic Irish people seemed to be ready to use violent means again. As Ivan Cooper's character said at the very end of Paul Greengrass's movie:

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25 Eighth Report of the Independent Monitoring Commission, 1 February 2006, at <<http://www.independentmonitoringcommission.org/publications.cfm?id=31>>, accessed 29 July 2007.

26 Sean Boyne, S. (1998), 'The Real IRA: After Omagh, What Now?', Jane's Information Group, 24 August.

27 The first Bloody Sunday took place on 21 November 1920 in Dublin: more than 30 people died that day. The day began with the assassination of 14 British agents (of 18 in a group known as the Cairo Gang) or their informants by the Irish Republican Army. Later that afternoon, British forces opened fire on the crowd at a Gaelic football match in Croke Park in north Dublin, causing the deaths of 15 civilians. That same evening there were scattered shootings in the city streets, and three Irish prisoners in Dublin Castle were killed by their British captors under suspicious circumstances. See Gleeson, J. (2004), *Bloody Sunday: How Michael Collins's Agents Assassinated Britain's Secret Service in Dublin on November 21, 1920* (The Lyon's Press).

28 Boyd, A. (1969), *Holy War in Belfast* (Dublin: Anvil Books), chapter 12.

29 Purdie, B. (1990) *Politics in the Streets: The Origins of the Civil Rights Movement in Northern Ireland* (Belfast: Blackstaff Press).

30 Hewitt, C. (1981), 'Catholic Grievances, Catholic Nationalism and Violence in Northern Ireland during the Civil Rights Period: A Reconsideration', *British Journal of Sociology*, 32:3, 362–80.

31 Pringle, P. and Jacobson, P. (2000), *Those Are Real Bullets, Aren't They?* (London: Fourth Estate).

I just want to say this to the British Government ... You know what you've just done, don't you? You've destroyed the civil rights movement, and you've given the IRA the biggest victory it will ever have. All over this city tonight, young men ... boys will be joining the IRA, and you will reap a whirlwind.<sup>32</sup>

The killings of Bloody Sunday opened a dark period in the history of Northern Ireland, where paramilitary groups acted as if they had a 'permit to kill', which resulted in thousands of victims.<sup>33</sup> It seems as if the IRA found legitimacy in the State's bloody repression. Despite this, there were still calls for non-violent political actions.<sup>34</sup>

Even though it had led violent political actions since its birth, the IRA radically changed after Bloody Sunday: terrorism became a full-time tactic of the group. It dropped all pretences to involve itself in politics whereas former members had always upheld links with Irish political life. There was a general feeling among Catholics that politics had failed.

## Sinn Féin and Peaceful Political Solutions

### *The Political Programme of Sinn Féin*

*The political ideology of the IRA* The IRA has been reported to have a strong leftist background: during the 1930s and 1940s, it leaned towards socialism. The remainder of the IRA was caught up with left-wing ideas. Many Communists were also members of IRA.

The first goal of the IRA was the struggle for self-determination, an aim it shares with Sinn Féin. While the nationalists members of Sinn Féin chose to follow this goal peacefully, the IRA has opted for a mixture of political actions and violent acts. The issue here is to know whether the IRA was a group made up of self-determination fighters or a terrorist group. The question is extremely pertinent when it comes to the IRA, as it is for the ANC and Hezbollah. It is reasonable to wonder if the IRA could be qualified as a self-determination group rather than a terrorist group. The extensive use of violence and the targeting of civilians after the 1960s comprise a reasonable rationale for stating that the IRA was a terrorist group that aimed at self-determination by resorting to violence.

*The political ideology of Sinn Féin* Since its creation by Arthur Griffith in 1905, Sinn Féin has adopted a political programme described in Griffith's book, *The Resurrection of Hungary* (1904):<sup>35</sup> passive resistance, abstention from the

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32 *Bloody Sunday, Realisation*: Paul Greengrass, Paramount, 22 April 2003.

33 Mullan, D. (1997), *Eyewitness Bloody Sunday: The Truth* (Dublin: Wolfhound Press).

34 Taylor, P. (1997), *The Provos, the IRA and Sinn Fein* (London: Bloomsbury).

35 Griffith, A. (2003), *The Resurrection of Hungary: A Parallel for Ireland* (Dublin: Dublin University Press).



Westminster Parliament and self-reliance.<sup>36</sup> It was at first a peaceful movement.<sup>37</sup> It became a revolutionary party only in 1916. The Easter Rising was then attributed to the party and this had a positive impact: from then on, Sinn Féin changed its policy and began winning seats in elections. The political platform changed and added Griffith's aims to those of radical nationalists in struggling for self-determination in Ireland. The success during the 1918 elections (73 seats out of 105) led Sinn Féin to constitute the *Dáil Eireann*, while applying Griffith's theory of political abstention.<sup>38</sup>

There was a split within the movement over the Anglo-British Treaty. The majority of Sinn Féin remained pro-Treaty. After the civil war broke out in 1922–23, de Valera resigned as President of the Republic to side with the anti-Treaty activists. The movement split again after de Valera left in 1926 to found *Fianna Fáil* (Soldiers of Ireland). The latter political party had many political successes while the remainder of Sinn Féin won 5 seats in the June 1927 *Dáil* election.<sup>39</sup> Sinn Féin was in the minority for decades although its members participated in the Spanish Civil War. The party briefly reappeared after 1955, won two seats during the Westminster elections and four in the 1957 *Dáil* election.<sup>40</sup>

The party's real emergence and its modern policy dates from 1970. The Sinn Féin as we know it since the 1970s is therefore not the Sinn Féin founded by Griffith. After the split within the IRA, the Sinn Féin underwent its own schism: the original Sinn Féin split into the Official SF and the Provisional SF in 1970. Some members rejected violence, others rejected the move from republicanism to Marxism, and part of Sinn Féin became the political voice of the minority of northern nationalists who saw the IRA's violence as the means of forcing an end to British rule. Since then, the party has been a hard-line nationalist movement, but it is also a left-wing organization.<sup>41</sup> The coexistence of these philosophies is affirmed: as James Connolly stated 'the currents of revolutionary thought in Ireland, the socialist and the nationalist are not antagonistic but complementary'.<sup>42</sup> The party exists in Ireland and in Northern Ireland.

Throughout its history, Sinn Féin has used political abstention. Abstentionism is a political strategy: Sinn Féin would seek election to a body but would refuse to take up seats once elected. This is why the *Dáil Eireann* was constituted in 1918 after the election of Sinn Féin members to the Parliament in Westminster: they did not take their seats and constituted their own legitimate body. The party officially put an end to this policy in 1986.

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36 Jackson, A. (2003), *Home Rule: An Irish History 1800–2000* (London: Weidenfeld & Nicolson), 115.

37 Laffan, M. (1999), *The Resurrection of Ireland: The Sinn Féin Party 1916–1923* (Cambridge: Cambridge University Press), 30.

38 The Irish Election of 1918, at <<http://www.ark.ac.uk/elections/h1918.htm>>.

39 Coogan, T.P. (1993), *De Valera: Long Fellow, Long Shadow* (London: Hutchinson).

40 Feeney, B. (2003), *Sinn Féin: A Hundred Turbulent Years* (Dublin: O'Brien Press).

41 *Id.*

42 Connolly, J. (1897, republished 1968), *Erin's Hope: The End and the Means* (Dublin: New Books).

*Political results* The political results of Sinn Féin in various elections demonstrate that it is a legitimate political party and acknowledged by the population of Northern Ireland as one of its representatives. The fact that the party was and is still close to the IRA was at the same time a challenge and an opportunity: it allowed Sinn Féin to attract more voters to the polls but it was a burden when it came to negotiating more substantive agreements with other political actors. The party was legitimate for the population and from the polls' prospective but was not legitimate in a democracy as it was assimilated to the IRA who carried out violent political actions. Even though, at the time, the main IRA had given up on violence and the (P)IRA was in charge, there was still a confusion regarding the viewpoint of the party regarding the use of violence.

The British government agreed to legalize Sinn Féin in May 1974. The party began to take part in elections, encouraged by the success in Westminster of elections of republican prisoners who took part in the 1981 Hunger Strike.<sup>43</sup> However, Sinn Féin never succeeded in attracting the majority of Catholics' support while the IRA continued its campaign of violence.<sup>44</sup> In the Assembly election in October 1982, Sinn Féin obtained 10 per cent of the vote which was a major breakthrough for the party. In the Westminster election of 1983, it obtained 13.4 per cent and Gerry Adams won the West Belfast seat.<sup>45</sup> In 1985, the British government signed the Anglo-Irish Agreement: it aimed at bringing an end to the Troubles in Northern Ireland.<sup>46</sup> The agreement was rejected by republicans because it confirmed Northern Ireland's status as a part of the UK. The (P)IRA continued its violent campaign and did not endorse the agreement. This rejection seriously harmed Sinn Féin, which was thus constantly associated with political violence. In 1986, some Sinn Féin members who disagreed with the policy left the party and created the Republican Sinn Féin (RSF). One of the reasons for the departure of these members was the decision of the Sinn Féin to end its policy of abstentionism and to allow elected members to take their seats in the *Dáil Éireann*.<sup>47</sup> The party viewed itself as representing the true and traditional Irish republicanism and considered the parliament of the Republic of Ireland to be illegal because it was set up by the British Parliament.

This tactical move proved useful: by dropping its policy of abstentionism, Sinn Féin clearly demonstrated it was willing to be a full-time political actor. It wanted to reach its aim of self-determination via politics and this clearly demarcated it from the IRA's violent actions. In the election in June 1999, Sinn Féin gained 18 seats and was entitled to two positions in the new Executive which was to govern Northern Ireland. At the Westminster election and local government poll in June 2001, it emerged as the largest nationalist party in Northern Ireland: it won 21.71 per cent

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43 Taylor, *supra* note 34.

44 English, R. (2003), *Armed Struggle: The History of the IRA* (Oxford: Oxford University Press), 200.

45 Melaugh, M., 'Abstentionism: Sinn Féin Ard Fheis: Chronology of Main Events', CAIN website, University of Ulster, at <<http://cain.ulst.ac.uk/issues/abstentionism/chron.htm>>, accessed July 29, 2007.

46 Thatcher, M. (1993), *The Downing Street Years* (HarperCollins), 403.

47 Melaugh, *supra* note 45.

and 20.66 per cent of the vote respectively.<sup>48</sup> The party was again successful in the Assembly election of November 2003: it gained 24 seats and 23.52 per cent of the vote. Sinn Féin had come a long way along the centuries and it took time to build a solid political basis.

*Sinn Féin, Self-Determination and the Use of Force*

The party was and is still dedicated to the achievement of a united Ireland.<sup>49</sup> It supported the IRA and was often viewed as the political wing of the IRA, which was an impediment to a political success. Just like Batasuna and ETA, the party refused to condemn the use of force by the IRA.<sup>50</sup> This attitude harmed the party: it lacked democratic legitimacy. The example of Sinn Féin and Batasuna demonstrate that to be a legitimate and democratic political force, a movement has to cut all links with violent groups. The issue is very vivid for Hezbollah as the political party is the violent group.

*The ballot of the bullet* In the 1980s, the leader of Sinn Féin, Gerry Adams, refused any ceasefire. The strategy of the party was a ballot paper in one hand and the Armalite in the other.<sup>51</sup> For many experts, this demonstrates the limit of the political success of the Sinn Féin. Indeed, politically speaking, the impact of such a policy was to draw votes towards more peaceful groups. Sinn Féin did not benefit from this hard-line policy and the Hunger Strike's shock subsided quite quickly. When the British and Irish governments drafted the Anglo-Irish Agreement in 1985, it convinced many in Sinn Féin that it was possible to make political gains without violence. Besides, some have argued that the electoral setbacks endured by Sinn Féin, such as the loss of 16 of the party's 59 council seats in 1989 and the defeat of Gerry Adams in the Belfast West constituency in 1992<sup>52</sup> encouraged the party to adopt a more peaceful attitude and to develop an electoral strategy.<sup>53</sup> Sinn Féin soon understood the advantages of dropping the 'By Ballot and by Bullet' strategy.<sup>54</sup> This triggered the peace vocation of Sinn Féin that then agreed to open peace talks with other Irish actors so as to find a peaceful solution to the Irish 'problem'. However, the debate about the ballot box *or* the Armalite or the ballot box *with* Armalite was recurrent during the peace talks.

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48 O'Brien, B. (1995), *The Long War: The IRA and Sinn Féin from Armed Struggle to the Peace Process* (Dublin: O'Brien Press).

49 Taylor, see *supra* note 34.

50 Feeney, *supra* note 40.

51 Doctrine of the Sinn Féin formulated by Danny Morrison, *supra* note 1.

52 Courbage, Y. (1997), 'Démographie et élections en Irlande du Nord', *Population* (French Edition), 52:5, September/October, 1219–1223.

53 McAllister, I. (2004), 'The Armalite and the Ballot Box': Sinn Féin's Electoral Strategy in Northern Ireland', *Electoral Studies* 23, 123–42.

54 'Ireland-Sinn Féin: From the Bullet to the Ballot?', *Communist Left*, 1, July–December 1989, at <<http://www.sinistra.net/lib/upt/comlef/coru/coruibebie.html>>, accessed 29 July 2007; O'Connor, J. (1992), 'Ballots and Bullets: Elections in a War Zone', *Northern Ireland Report*, 20 September, at <<http://history.eserver.org/ballots-and-bullets.txt>>, accessed 29 July 2007.

The party has never hidden its nationalist views: it wanted and still wants full self-determination for Ireland. What has changed are the means: if the aim is not flexible, the means are. Sinn Féin now perceives peaceful means as a way to reach self-determination. This statement is however discussed. Indeed for some, the mere link existing between Sinn Féin and the IRA points at Sinn Féin as a party supporting terrorism and violence, just as the link between Batasuna and ETA has condemned that party's actions in Spain.<sup>55</sup> Despite this, the party has demonstrated its will to negotiate and has been successful. As Gerry Adams declared:

I am convinced that the conflict can be solved truly only if we reach an agreement at the end of the negotiations. It is false to believe that one can solve a conflict by a defeat of other camps when it comes a struggle for self-determination. In other types of situations, one can overcome the opponent, but, in conflicts like this one, the enemy does not disappear.<sup>56</sup>

The political move of the Sinn Féin that clearly distinguished itself from the IRA was clearly a benefit for the party. Soon, the time came when both the IRA and Sinn Féin were ready to talk about peace. The two movements understood that if violence brought them recognition from the people, and a degree of popular legitimacy, it did not bring them legality. Even if they felt justified in their struggle, the two movements had to acknowledge that, with time, violence would only cast them away from the political scene. As the ANC, Hamas, Hezbollah and others understood, the only way to be widely acknowledged was to become a full political actor. This raises an interesting question: why would such groups seek full legitimacy when they feel justified in their use of violence and are supported by part of the population? What can explain such a change is that these groups were sincere in their struggle: they really wanted to achieve an aim, and tried to avoid becoming bandits. They realized that using violence or engaging in criminal activities would only take them away from their goals. What triggers the transformation from a terrorist/self-determination group into a political party or actor? The wish for recognition and the awareness that action is only possible once elected by the people seems to be a rationale. The discovery that violence opens an endless cycle of retaliation is probably another. Therefore we can say that self-determination fighters who began advocating their cause via peaceful means entered a period of violence to close the circle by coming back to non-violent political means: 'Patterns of action are repeatedly exhausted, although the actors are often ignorant of being of a cycle'.<sup>57</sup>

What appears here is a viability strategy: to uphold its existence, a group using political violence or terrorism has to acknowledge political changes and its

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55 Hutcheon, J. (2005), 'From Terrorism to Politics: the Violence Continues in the IRA', *Correspondents' Reports*, 13 March, at <<http://www.abc.net.au/correspondents/content/2004/s1322017.htm>>, accessed 31 July 2007.

56 Carlin, J. (2006), 'La Paix, mode d'emploi', *El Pais*, in *Le Courrier International*, no. 804, 30 March 2006.

57 Feit, E. (1972), 'Generational Conflict and African Nationalism in South Africa: the African National Congress, 1949–1959', *The International Journal of African Historical Studies*, V:2, 181–202.

surroundings has to adapt. Otherwise, it would disappear. Not all groups can follow such a pattern, as the examples of FARC, ETA and Al Qaeda demonstrate. The reasons why these movements failed are analysed later.

### The IRA, Sinn Féin and Peace Talks: a New Political Future?

There was an attempt at peace talks in 1972 that broke down after it became clear the British government was using the truce as a military strategy. The conflict was even harder after that. There was another truce in 1974–75 but no political solution was reached. Counter-insurgency methods increased and the IRA went further in using guerrilla methods. There were major events such as the death of 10 republicans on hunger strike in 1981, including Bobby Sands.<sup>58</sup> These events strengthened the IRA just as Bloody Sunday had done in 1972.<sup>59</sup> The fact that these IRA prisoners on hunger strike because they wanted to be granted the status of political prisoners demonstrates how blurred the action of the IRA was. It also showed that IRA activists did not consider their actions to be terrorist actions but extreme political violence. In 1974, (P)IRA was banned. In 1979, it assassinated Lord Mountbatten.

Sinn Féin was barred from participating in the peace negotiations on *Frameworks for the Future*.<sup>60</sup> The IRA declared a ceasefire and the condition for admitting Sinn Féin to the talks was the decommissioning of the IRA. The reasons for this change of attitude within the IRA are explained in a statement: the IRA justified this move by the democratic opportunities offered by the situation at the time.<sup>61</sup> This demonstrates that the IRA took into account the political landscape of Northern Ireland and was able to adapt to it as a survival strategy. However, this first political step taken by the IRA was not greeted with success. The IRA did not want its armoury to be decommissioned and called off the ceasefire in February 1995, accusing the government of John Major of doing its best to hamper the dialogue.<sup>62</sup> This did not end the peace process that went on with other parties.

There were new negotiations in the summer of 1997 following the election of Tony Blair as prime minister. After the announcement of a second IRA ceasefire in July 1997, Sinn Féin was allowed to participate in the multi-party talks in September 1997. The Good Friday Agreement in April 1998 was the most important of all agreements: the IRA agreed to work towards a united Ireland only in peaceful terms. Violence was not an option anymore. The talks between political parties were difficult to ensure and there were events such as the Omagh bombing in 1998. This event demonstrated that some IRA members disagreed with the Agreements and were still willing to resort to violence. Besides, some members continued to engage

58 McKittrick, D. (2006), 'Remembering Bobby Sands', *The Independent*, 5 May.

59 Taylor, *supra* note 34, 251–2.

60 Darby, J. (2003), 'Northern Ireland: The Background to the Peace Process', at <<http://cain.ulst.ac.uk/events/peace/darby03.htm#2>>, accessed 29 July 2007.

61 IRA, Ceasefire Statement, 31 August 1994, at <<http://cain.ulst.ac.uk/events/peace/docs/ira31894.htm>>, accessed 29 July 2007.

62 'IRA Statement contained in "Truce lies in tatters"', *Belfast Telegraph*, 10 February 1996.

in criminal activities such as smuggling and robbery. However the various IRA factions ceased all terrorist activists probably because they were decimated by arrest and imprisonments.

In July 2002 the IRA issued a public apology to the civilian victims of its attacks. Despite all these progresses, the situation was still very tense.<sup>63</sup> The new political arrangements, even though shaky, remained the sole hope that had arisen in decades of conflict. There was then a real attempt to transform Northern Ireland's political culture and to work from a divided society where hatred ruled towards an 'adversarial democratic culture'.<sup>64</sup> The IRA played its part in it, aware of the challenges at stake. It was not until July 2005 that the IRA issued a statement announcing an end to its armed campaign, pledging to use non-violent means to achieve their goals.<sup>65</sup> Seanna Walsh, the spokesperson of IRA, said:

The leadership of Oglaiigh na hEirann has formally ordered an end to the armed campaign. This will take effect from 4 p.m. this afternoon. All IRA units have been ordered to dump arms. All volunteers have been instructed to assist the development of purely political and democratic programs through exclusively peaceful means. Volunteers must not engage in any other activities whatsoever.<sup>66</sup>

Tony Blair declared:

This may be the day when finally, after all the false dawns and dashed hopes, peace replaced war. Politics replaces terror on the island of Ireland. I welcome the statement of the IRA that ends its campaign. I welcome its clarity. I welcome the recognition that the only route to political change lies in exclusively peaceful and democratic means.<sup>67</sup>

However, the IRA did not say it would disband. The Sinn Féin president, Gerry Adams, at a press conference in Dublin declared the IRA's statement meant the group was now committed to 'purely peaceful and democratic methods' and called it 'a direct challenge to the Democratic Unionist party to decide if they want to put the past behind them and make peace with the rest of the people of the island'.<sup>68</sup> In September 2005, an independent commission was set up to oversee the disarmament process, the Independent Monitoring Commission.<sup>69</sup> The existence of this commission can serve as an example for other groups such as Hezbollah or ETA. A 36-year guerrilla campaign against the British government was therefore ended. The outcome of this

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63 Darby, *supra* note 60.

64 Cash, J.D. (1998), 'The Dilemmas of Political Transformation in Northern Ireland', *Pacifica Review*, 10:3, 227–34.

65 MIPT Terrorism Knowledge Base, *supra* note 4.

66 'Irish Republican Army Announces End to Violence', 29 July 2005, *Democracy Now*, at <<http://www.democracynow.org/article.pl?sid=05/07/29/1420248>>, accessed 29 July 2007.

67 *Id.*

68 Tempest, M. (2002), 'IRA Orders End to Armed Campaign', *The Guardian*, 28 July.

69 It reported that the IRA had in fact scrapped their arsenal.

war was 3,600 deaths on both sides.<sup>70</sup> The IRA remains committed to its original goal, Irish unity, but has agreed to stop using terror tactics.

Some believe that the efforts that the IRA has undertaken in recent years demonstrate its real commitment to peace and an end to its terrorist activity. Although disarmament is a huge step forward, it remains to be seen if the IRA's non-violence pledge will be backed up with further action, and whether the organization has permanently committed itself to leave terrorism behind. The continued presence of loyalist paramilitary organizations, violent republican splinter groups, and sectarian tensions has the potential to drag the IRA back into terrorism. Besides, there have been murders and thefts that demonstrate that parts of the IRA are still very much active.

### *Political Impact of the Peace Talks*

The results of these peace talks were important for the political party: Sinn Féin soon overtook its nationalist rival, the Social Democratic and Labour Party. In 2002, the party won nine seats. Sinn Féin is today the largest nationalist party. There have been talks with the Democratic Unionist Party (DUP), which is the largest Protestant party, but these ended in 2003: the DUP wanted evidence that the decommissioning of the IRA had taken place and Sinn Féin refused to provide such evidence.<sup>71</sup> Besides, the IRA carried out a robbery in 2005 that had a negative impact on discussion between the two parties.<sup>72</sup> It was recommended that sanctions be taken against Sinn Féin members of the Northern Ireland Assembly as some of them seemed to know about this robbery.<sup>73</sup> The British government said it would ask MPs to vote to withdraw the parliamentary allowances of the four Sinn Féin MPs elected in 2001.<sup>74</sup> This episode did not improve the relations between the party and the British government: Sinn Féin is a party democratically elected and that has a popular legitimacy. It seems unfair to punish it for actions carried out by the IRA. Later, several leaders of the party were accused of participating in the IRA's structures.<sup>75</sup> All these events demonstrate that the past of the IRA has not been forgotten (or forgiven) and that, for many, Sinn Féin still works for the IRA. These are blows to the legitimacy of the party. Eventually, the murder by the IRA of Robert McCartney in 2005 worsened the

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70 'Irish Republican Army Announces End to Violence', supra note 66. A detailed analysis of the death and injury toll can be found in Fay, M.T., Morrissey, M. and Smyth, M. (1999), *Northern Ireland's Troubles: The Human Costs* (London: Pluto Press).

71 Chrisafis, A. (2004), 'Paisley Hints at Movement on IRA', *The Guardian*, 25 November.

72 Minge, K. (2005), 'Fallout from Bank Raid', *Irish Emigrant*, 24 January; Independent Monitoring Commission, 2005, *Fourth Report of the Independent Monitoring Commission*, 10 February 2005, at <<http://www.independentmonitoringcommission.org/documents/uploads/HC%20308.pdf>>, accessed 29 July 2007.

73 *Id.*

74 'Sinn Féin facing raid sanctions', BBC, 22 February 2005.

75 Brady, T. and Molony, S. (2005), 'McDowell: These Men are Leaders of the IRA', *Irish Independent*, 21 February.

situation as apparently Sinn Féin was aware of threats existing against this man.<sup>76</sup> All these events have contributed to the feeling that the IRA and Sinn Féin are so linked they are ‘the both sides of the same coin’.<sup>77</sup> The party’s links to the IRA seemed to undermine its full political integration, as it had in previous decades.

The party is still the largest one today, with five MPs in the House of Commons and 28 members of the Legislative Assembly (out of 108). It does not have the same success in the Republic of Ireland.

## Conclusion

The IRA is not a political movement itself, but its actions have contributed to the popularity of Sinn Féin. The links existing between the two movements have also hampered Sinn Féin’s political existence. Despite these obstacles, the political party has made its way through Northern Ireland’s political life, supported by the IRA’s decision to end the use of violence. The result was the split of the IRA into small violent groups refusing the political path or to disarm.<sup>78</sup> This process is important to analyse because it demonstrates how a unique group can fragment when facing the issue of peace. The ANC and Hezbollah never faced this problem because they were well-disciplined, organized movements.<sup>79</sup> It can be said today that the transformation of IRA into a political actor has been successful even though some sub-groups still exist today and might be a threat to peace later.

The Sinn Féin/IRA case is an illustration of the theory according to which ‘in the classic theory of revolutionary guerrilla movements, political action and military force are complementary and must be jointly pursued in order to force a repressive regime to relinquish its grasp on power’.<sup>80</sup> Most movements studied here follow this trend. However, the difficulty of working together is illustrated in all these movements: in the case of Sinn Féin/IRA, when the political party wanted to become a full political actor in Northern Ireland, it had to face and bear responsibility for the IRA’s past actions. Eventually though, Sinn Féin did not directly encourage violence, it endorsed it and supported it.<sup>81</sup> The view that Sinn Féin is ‘subordinated’ to the IRA is the weakest point of the political party.<sup>82</sup> This is an illustration of the collision

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76 ‘Give up Killers, People’s Protest tells IRA’, *The Times*, 28 February 2005.

77 ‘Sinn Féin Must Prove it Supports the Rule of Law’, *Belfast Telegraph*, 9 January 2007.

78 English, *supra* note 44.

79 Sanchez-Cuenca, I. (2004), *Terrorism as a War of Attrition: ETA and the IRA* (Madrid: Instituto Juan March de Estudios e Investigaciones).

80 Hannigan, J.A. (1985), ‘The Armalite and the Ballot Box: Dilemmas of Strategy and Ideology in the Provisional IRA’, *Social Problems*, 33:1, October, 31–40; see also Fairbairn, G. (1974), *Revolutionary Guerrilla Warfare: The Countryside Version* (Suffolk: Penguin); Hodges, D.C. and Shanab, R.E.A. (1972), *NLF: National Liberating Fronts 1960/1970* (New York: William Morrow).

81 Walker, C. (1988), ‘Political Violence and Democracy in Northern Ireland’, *The Modern Law Review*, 51:5, September, 605–22.

82 Bishop, P. and Mallie E. (1988), *The Provisional IRA* (London: Corgi Adult), 304.



between political and military strategies with negative effects.<sup>83</sup> It is difficult to build politically and to be a democratic movement when attached to a movement that carried out acts aimed at creating disruption and terror.

It is essential to keep this approach in mind when analysing the transformation from a terrorist movement into a political party: either the party was there all the time, in the shadows of the armed movement, like Sinn Féin, ETA and the ANC; or during that time, the political party was the decent face, the ‘external representation function’<sup>84</sup> that later enabled the movement to complete its evolution. In such situations the past history of the terrorist group overshadows the future and the success of the political party. It was not the case for the ANC. The reason might be that in the end MK disarmed, while the IRA is still accused of having small armed bands. In other cases, the political party was born from the will to turn the terrorist structures into a political party, like Hezbollah and Hamas.

One of the main difficulties movements face when transforming is the ideology shift: does turning into a political party tamper with the ideology of the movement? Is there a betrayal of the ideal?<sup>85</sup> The (P)IRA’s contradictory strategy about ‘Armalite–ballot box’ illustrates this dilemma. It is therefore legitimate to wonder if the steps taken towards institutionalization mean the end of ideals? It does not seem so, as Sinn Féin has kept its ideals regarding self-determination. Even Hezbollah, which had to change its discourse regarding the creation of an Islamic republic, still feeds its militants with the hope of its realization one day. There is merely a change of means to attain the ideal, change justified by the need of legitimacy and popular mobilization.<sup>86</sup>

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83 Hannigan, *supra* note 80.

84 Aldrich, H.E. (1978), *Organizations and Environments* (Englewood Cliffs: Prentice Hall), 252–3.

85 Thorne, B. (1975), ‘Protest and the Problem of Credibility: Uses of Knowledge and Risk-taking in the Draft Resistance Movement in the 1960s’, *Social Problems*, 23, 122.

86 Hannigan, *supra* note 80.

## Chapter 4

# A Political Movement to make Peace or War? Euskadi Ta Askatasuna (ETA) and Batasuna – the Impossible Truce

Anisseh Van Engeland

Sometimes it is harder to make peace than to make war ... Making peace means seeking an alliance with our adversaries and even finally going as far as to seek the cooperation of our enemies.<sup>1</sup>

Aizkora bezain zorrotza eta sugea bezain zuhurra.

[Sharp like an axe and quiet like a snake.]<sup>2</sup>

On 12 March 2006, a recorded message heard on Spanish radios and TV stupefied the population: Euskadi Ta Askatasuna (ETA) announced a ceasefire after the death of more than 800 people.<sup>3</sup> The ceasefire was enforced from 24 March 2006.

The aim of this decision is to launch a democratic process in the Basque country as to build a new framework in which the rights that belong to us as a People would be acknowledged and as to ensure for the future the possibility of a development of all political options.<sup>4</sup>

ETA did not announce if it would disarm and dissolve but a real hope was stirred by these words. Many experts thought that, this time, violence and armed struggle had ended in the Basque country and in Spain. José Luis Rodríguez Zapatero, who at the time was the head of the socialist government, was as relieved as his compatriots but also announced that the road to peace would be a difficult one. ETA was probably sincere at the time but, like the position with the IRA in Northern Ireland, the peace process needed real encouragement and a sincere commitment from both parties. This meant the government in Madrid had to open up political space for members of

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1 Ortegi, A. (leader of Batasuna) (2004), 'Basque party calls for peace talks', BBC, 14 November.

2 ETA's motto.

3 '850 Muertos en 38 años de guerra de ETA contra España', *La Republica*, 2006, at <<http://www.larepublica.com.uy/lr3/larepublica/2006/12/21/mundo/237385/850-muertos-en-38-anos-de-guerra-contra-espana/>>, accessed 26 July 2007.

4 ETA (2006), *Message from Euskadi Ta Askatasuna [Eta] to the Basque people*, ETA statement, March 2006, at <<http://news.bbc.co.uk/1/hi/world/europe/4833490.stm>>, accessed 27 July 2007.

Batasuna, the political movement close to ETA; it also meant that all branches of ETA had to be ready for a dialogue to begin.<sup>5</sup> Unfortunately all these hopes were crushed at the end of 2006 when ETA bombed an airport. When one looks at the history of ETA and Batasuna, it seems that the movements have been quite unsuccessful or unable to integrate into Spanish and French political lives.

## The Beginnings of ETA: a Popular Self-Determination Movement

### *History of the Movement*

ETA is an emanation of two organizations promoting self-determination, the Basque National Party (*Euzko Gaztedi Indarra*), created in 1952, and a nationalist group (*Ekin*), created by students in 1953 at the University of Deusto in Bilbao.<sup>6</sup> When it was founded in 1959, the movement ETA (*Euskadi Ta Askatasuna – Basque State and Freedom*) had a lot of credibility among people and was perceived as a self-determination group with political influence. It was created by students who disagreed with the mainstream policy of the nationalist party: they believed that the party was not sufficiently critical of the Franco dictatorship.<sup>7</sup> From the beginning, ETA was constituted as a separatist clandestine organization, using armed struggle and terrorism in order to have the independence of the Basque country acknowledged by Spain and France. ETA leads a self-determination struggle for the following provinces: Biscaye, Araba, Gipuzkoa, Navarre, Labourd, Basse-Navare and Soule.

The battle relies on cultural factors. The Basques (*Euskadis*) are one of the oldest European ethnic groups. They have their own language (*Euskera*) and nationalists have always fought for its survival and protection.<sup>8</sup> Nationalists have built a myth around the language and the blurred origins of the ethnic group to explain why the Basque country has nothing in common with Spain: the main argument is that the Basques were autonomous until 1200 when their territory was annexed by Castille.<sup>9</sup> The struggle nowadays is to regain this territory and autonomy.

The National Basque Party (PNV – *Partido Nacionalista Vasco*) was created by a journalist Sabino Arana Goiri in 1895 to struggle for the independence of the Basques.<sup>10</sup> The rise of General Franco to power in 1935 exacerbated the Basques' will to be independent, especially as Franco wanted to erase the Basque culture.<sup>11</sup> The PNV was rather passive and this why ETA was created. The use of violence was justified by the threat represented by Franco. The first bomb exploded in June

5 Fish, J. (2006), 'A New Dawn for Spanish Politics?', BBC, 25 March.

6 Baud, J. (1999), *Encyclopédie des Terrorismes* (Paris :Lavauzelle), 67.

7 Baeza, A. (1995), *E.T.A. Nació et un seminario: el grand secreto – Historia de ETA 1952–1995* (ABL, Colección Buhardilla Vaticana), 11.

8 Davant, J.L (1986), *Histoire du peuple basque* (Donostia: Elkar).

9 *Id.*

10 *Id.*, introduction.

11 Episcopo, J. (1998), 'Eta's Bloody Past', BBC, 17 September, at <<http://news.bbc.co.uk/1/hi/world/europe/173132.stm>>, accessed 26 July 2007.

1960 at Amara.<sup>12</sup> Bombing remained the main tactic of ETA, and has continued throughout its history.<sup>13</sup> The government's response was harsh as many suspects were arrested and tortured; the prisons at the time were full of Basques and some of those still free had to leave Spain for France. This is why the first assembly of Basques in 1962 took place in France in order to decide what strategies would be adopted.<sup>14</sup> During this assembly, language and culture were put forward as elements to gather all the Basques around an objective and symbols. During this meeting, it was decided that self-determination fighters would be trained like 'professionals'. In May 1964, during the third assembly, terrorism was defined as the best mean to reach self-determination.<sup>15</sup> During the fifth assembly in 1966, the first split occurred, between the ETA *Berri* (the new ETA) and the ETA *Zarra* (the old ETA). The former aimed at a proletarian revolution gathering all the oppressed peoples of Spain, so split away and later joined the Communist Basque Movement, leaving the ETA *Zarra* unchanged.<sup>16</sup> In 1967, ETA decided to focus on four domains – military, culture, politics and work – in which the movement would organize its actions.

When in 1968, one of ETA leaders, Txabi Etxebarrieta, was killed by police, the movement retaliated by killing the head of the police of a province, Meliton Manzananas, a man known for his brutality during police interrogations. The Franco government struck back and arrested almost all ETA leaders. In 1970, during the Burgos trial, 16 ETA militants were condemned and 6 of them were condemned to the death penalty.<sup>17</sup> This verdict shocked the international community: ETA's struggle was therefore acknowledged at the international level, just as the ANC self-determination struggle was acknowledged by the international community because of the rough methods used by the apartheid regime.

In September 1970, the sixth assembly of ETA witnessed renewed tensions between the advocates of the use of force and the Marxists who favoured a class struggle. The exclusion of the advocates of the use of force led to the creation of the ETA *Ve Assemblée* or ETA V, while the main corpus of ETA became ETA VI and aimed at carrying on the revolution.<sup>18</sup> ETA VI was then divided between the majority, the *Mayos*, who joined the Revolutionary Communist League in 1973, and a minority, the *Minos*, who joined the Communist Party. ETA V was then alone and held its assembly in 1973. It is then that killing of the admiral Luis Carrero Blanco, the successor of Franco, was prepared.<sup>19</sup> ETA V was very popular at the time.

In 1974, the movement underwent another schism between the military ETA, which wanted full terrorism, and the political-military (PM) ETA that had political

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12 Baud, *supra* note 6, 67.

13 *Id.*, 73.

14 *Id.*, 68.

15 *Id.*, *ibid.*

16 *Id.*, 68–9.

17 Redacción, 'ETA rompe el alto el fuego: Repaso 39 años de terrorismo', *La Provincials*, at <[http://especiales.lasprovincias.es/2006/eta/historia/1968\\_etas03.html](http://especiales.lasprovincias.es/2006/eta/historia/1968_etas03.html)>, accessed 26 July 2007.

18 Baud, *supra* note 6, 69.

19 Agirre, J. and Forest, E. (1974), *Opération Ogro: comment et pourquoi nous avons exécuté Carrero Blanco, premier ministre espagnol* (Paris: Seuil).

aims without renouncing armed struggle, like the FARC in Colombia. In years to come, it was the PMETA that was the most active, even when it came to terrorist acts.<sup>20</sup> The existence of the PMETA illustrates the theory according to which political and military actions complement one another during a revolutionary guerrilla war.<sup>21</sup> The movement decided it was better to have separate structures and decided to separate politics from military actions after Franco's death in 1975:<sup>22</sup> on 27 April 1978, the political wing of ETA, *Herri Batasuna*, was created.<sup>23</sup> Democracy was established in Spain and the Basque country was in 1979 recognized as an autonomous entity after the 25 October referendum.<sup>24</sup> The PNV was satisfied but not ETA: they upheld their policy of terror and between 1978 and 1990 the movement killed 330 persons. It is interesting to underline that at the time when Spain became a democracy, the Basque movement chose violence to express its claims and demands. ETA was consequently unable to adapt to new political conditions and settings, whereas Hezbollah understood when the time had come to transform.

The movement divided in 1981 between the members renouncing all military actions and the ones, more radical, who joined the military ETA. In 1982, the PMETA was dissolved as the members had decided to give up on armed struggle.<sup>25</sup> They joined *Batasuna*, believing the future of the Basque country lay in the hands of the politicians. But the military ETA considered this as an act of treason and killed all ETA members who came back home from exile under an amnesty. The ETA that exists today is still this military branch. The cycle is completed again: after opting for violence, ETA members thought only violence could help them achieve the aim of self-determination, before coming back to peaceful means. However, here again, the young members of ETA refused peaceful politics and picked up their arms again, fuelling the intergenerational conflict described by Edwards Feit.<sup>26</sup> He explains that one of the reasons why it is sometimes so difficult to end the cycle of violence, even though the main branch of the movement is ready to become a political actor, is the energy of youth: 'youth, reacting against the political failures of their immediate elders, often take up the tactics of the more distant past'.<sup>27</sup> This is very true in the case of ETA: after the arrest of three ETA leaders in 1992 (the military head Francisco Mujika Garmendia, the political head José Luis Alvarez

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20 Baud, *supra* note 6, 69–70.

21 Fairbairn, G. (1974), *Revolutionary Guerrilla Warfare: The Countryside Version* (Suffolk: Penguin).

22 Baud, *supra* note 6, 70.

23 'ETA: la Dictadura del Terror', *El Mundo*, Especial ETA: la dictadura del terror, at <<http://www.elmundo.es/eta/entorno/batasuna.html>>, accessed 26 July 2007.

24 Delegation of the Basque Country in Brussels, 'Euskadi: A Country on the Move', at <<http://www.europesworld.org/EWSSettings/Article/tabid/78/Default.aspx?Id=9bd3d538-fc7a-48bf-a093-3fa51c8f0b97>>, accessed 27 July 2007.

25 Baud, *supra* note 6, 71.

26 Feit, E. (1972), 'Generational Conflict and African Nationalism in South Africa: the African National Congress, 1949–1959', *The International Journal of African Historical Studies*, V:2, 181–202.

27 *Id.*

Santacristina and the logistical head José María Arregi Erostarve),<sup>28</sup> the movement was taken over by young leaders soon afterwards.<sup>29</sup> This was not an improvement as this young generation has been raised in hatred and favours street guerrilla activity. They also threatened heads of all political parties.<sup>30</sup>

### *The Political Turn*

In 1995, ETA made a peace proposal known as the Democratic Alternative.<sup>31</sup> It offered a ceasefire in exchange for self-determination. It also requested amnesties for political prisoners and members in exile. The offer was rejected by the government. If the Aznar government was ready to free some prisoners, it refused the self-determination of *Euskadi*. Negotiations took place despite this, and ETA declared a ceasefire in 1998, encouraged by Batasuna, its political arm. On 3 December 1999, the ETA decided it was time to put an end to the negotiations.<sup>32</sup> There were deadly attacks carried out by ETA, such as the bombing of two cars in 2000.<sup>33</sup> It occurred right after Aznar had announced that elections would be held in March: therefore the link between ETA actions and its will to play a role in these elections through violent means were obvious. This thoroughly undermined any political actions Batasuna could take. The latter decided not to participate in the 2000 elections.

Since the 11 September 2001 attacks, it is clear that terrorism as a strategy is not working anymore. Most groups have understood that and the challenge for them is reconversion. A group like ETA has issues in accepting the reality that terrorism has become the instrument of nihilist groups like Al Qaeda with no political claims, just that of destroying a civilization that does not respond to their expectations. Therefore political violence is not 'bankable' any more or even 'tolerated' as it was before; each terrorist action has become a matter of international security. Besides, today only 10 to 15 per cent of the population still supports Batasuna and most Basques rejects ETA's violence. ETA has carried out only small attacks since 2001. Some say the group has grown quiet because of the new laws enforced since 2001 and the Madrid attacks in 2004.<sup>34</sup>

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28 Borra, C., 'Bidarte y la detención de "Antza"', los mayores golpes contra ETA', DEIA, at <<http://www.deia.com/es/especiales/2004/elecciones2004/233315.php?setlanguage=es>>, accessed 26 July 2007.

29 Barros, C.P., Caporale, M.G., Gil-Alana, L.A. (2006), *ETA Terrorism: Police Action, Political Measures and the Influence of Violence on Economic Activity in the Basque Country* (Paris: Brunel).

30 Baud, *supra* note 6, 71.

31 ETA (1995), 'Manifiesto Euskal Herriarentzako alternatiba Demokratikoa', at <<http://www.geocities.com/CapitolHill/8864/ingle.htm>>, accessed 26 July 2007.

32 Baud, *supra* note 6, 71.

33 Goodman, A. (2000), 'Colonel Dies in Blast Blamed on ETA after 18 Months of Peace: Car Bombs in Madrid Break Lull In Violence', *International Herald Tribune*, 22 January.

34 Council of Foreign Relations (2005), 'Basque Fatherland and Liberty', ETA Council of Foreign Relations (updated 6 June 2007), at <<http://www.cfr.org/publication/9271/>>, accessed 26 July 2007.

## Have there been Efforts to draw ETA into the Spanish Political Process?

### *Terrorism and Political Influence: the Political Face of ETA – Batasuna*

Before the decision to create Batasuna in 1978, ETA had already a political background: indeed the group was an armed group demanding Basque independence and it had a Marxist-Leninist ideology.<sup>35</sup> All its political claims were focused on sovereignty and self-determination. Despite its political background, ETA decided to devote itself to terrorism while its political branch would represent the movement in public.

Batasuna is an independentist political party, close to Marxist theories. Batasuna means ‘unity’ in Basque. Its members mostly came from leftist nationalist political groups. The party is the political wing of ETA and was funded as to advocate a ‘No’ to the referendum to be held in December of 1978 pertaining to the new Spanish constitution. The party was constituted after a meeting in 1977 gathered by Basque nationalist Telesforo de Monzón and known as ‘the Table of Altsasu’. The party has had different names since its creation: Herri Batasuna (‘Unity of People’), Euskal Herritarrok, Sozialista Abertzaleak, Ezker Abertzaleak, AUB, Aukera Guztiak and EHAK-PCTV. To demonstrate how popular it was, Batasuna called itself *Euskal Herritarrok*, ‘We Basque Citizens’.

The party is based mainly in the Basque country but also has a French political presence. Batasuna members were killed by other groups. For example, Santi Brouard was killed by two members of the GAL in 1984, and Josu Muguruza was killed by neo-fascists in 1989.<sup>36</sup> The latter was a Congressman in the Spanish Parliament. However, these killings cannot be compared to the extermination of Union Patriótica (UP) in Colombia and they were not carried out by the State. They demonstrated that the nature of Batasuna and ETA was more complicated than thought initially. Some Batasuna members have served years in prison as ETA members. Some like Arnaldo Otegi, the member of the head directory of Batasuna, were even arrested after they left ETA to work for Batasuna. Otegi was sentenced to 15 months of prison for justifying terrorism, which is a crime in Spain.<sup>37</sup> This explains why Batasuna is perceived as a criminal organization: it does not condemn ETA’s terrorist actions.<sup>38</sup> Other Batasuna members like José Antonio Urrutikoetxea are still accused of crimes and had to go into hiding.<sup>39</sup> It is because Batasuna backed up ETA and violence that

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35 Mansveld Beck, J. (1999), ‘The Continuity of Basque Political Violence: A Geographical Perspective on the Legitimisation of Violence’, *Geojournal*, 48:2, 109–121.

36 ETA, ‘Santi Brouard y Josu Muguruza’, at <<http://www.45-rpm.net/palante/brouard-muguruza.htm>>, accessed 26 July 2007.

37 ‘Arnaldo Otegi, le chef de Batasuna, a été acquitté’, *Nouvel Observateur*, 22 March 2007.

38 ‘En Espagne, Batasuna refuse de condamner l’usage de la violence’, ABC, 18 October 2006, in *Le Courrier International online*, at <[http://www.courrierinternational.com/article.asp?obj\\_id=67219](http://www.courrierinternational.com/article.asp?obj_id=67219)>, accessed 27 July 2007.

39 Chambraud, C. (2006), ‘Comment le dirigeant historique Josu Ternera aurait convaincu l’ETA de renoncer à la violence’, *Le Monde*, 26 March.

Aralar was created: this political party has the same aims as Batasuna but refuses to legitimate or use violence.<sup>40</sup>

### *Batasuna and its Political Status*

The political status of Batasuna is very much discussed in Spain. For many, because Batasuna is the political arm of ETA and because it does not condemn political violence and ETA's actions, it should be considered as a terrorist group too. Therefore, the actions of ETA impede the political self-realization of Batasuna. On 1 December 1997, the Supreme Court of Madrid condemned 23 Batasuna leaders to seven years of imprisonment for having *the intention* of showing a campaign spot made by ETA. This video showed ETA members arguing for self-determination.<sup>41</sup> Besides, some members of ETA work openly for Batasuna; for example, Batasuna member José Antonio Urrutikoetxea, alias Josu Ternera, was the main leader of ETA between 1987 and 1989 and is accused of a number of homicides, such as the massacre of 21 people at Hipercor in Barcelona.<sup>42</sup> He was included in the Batasuna electoral ticket and elected to the Basque parliament between 1999 and 2001, where he was appointed as his party's representative in the human rights commission at the Basque parliament.

The Spanish government tried to ban the party because it does not condemn the use of force by ETA, and therefore is not a democratic and peaceful party.<sup>43</sup> Batasuna's newspapers *Egin* and the radio station *Herri Irratia* were closed down in 1998. In June 2002, the parliament enacted a law, the *Ley de Partidos Político*, which outlawed parties under certain conditions, such as the support for terrorism.<sup>44</sup> In July 2002, Batasuna was fined 24 four million euros for vandalism and street violence. The party was suspended for three years in 2002 to allow the court to investigate the party's links to ETA.<sup>45</sup> According to the ban, Batasuna representatives cannot run for elections, nor hold public demonstrations or rallies. In 2003, Batasuna was declared illegal by the Supreme Court, based on the reform of the law on political parties.<sup>46</sup> The rationale was that Batasuna is a part of ETA's structure. Besides, it is said that Batasuna propagates an ideology based upon hatred. The main issue is the refusal of Batasuna to condemn terrorist acts carried out by ETA. In another trial, the decision was reached to suspend all Batasuna's activities and the headquarters

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40 See <<http://www.aralar.net/>>, accessed 26 July 2007.

41 See <<http://www.uv.es/~pla/terrorisme/resposta8.html>> for more information.

42 Garea, F. (2000), 'El líder del sector más duro y ortodoxo de ETA', *El Mundo*, at <<http://www.elmundo.es/2000/01/15/espana/15N0038.html>>, accessed 26 July 2007.

43 'Le gouvernement décidé à interdire Batasuna', *El Pais*, April 2002, in *Le Courrier International*, no. 596, 4 April 2002.

44 *Ley de Partidos Políticos*, at <<http://civil.udg.es/normacivil/estatal/persona/PJ/L54-78.htm>>, accessed 26 July 2007.

45 'Batasuna: Proceso de Ilegalización', *El Mundo*, August 2003, at <<http://www.elmundo.es/especiales/2002/08/espana/batasuna/motivos.html>>, accessed 26 July 2007.

46 'Spanish judges outlaw Basque party', CNN, 17 March 2003; see for legal decisions <<http://www.elmundo.es/especiales/2002/08/espana/batasuna/index.html>>, accessed 26 July 2007.



of the political party were shut down by the police. Because of the links with ETA, Batasuna was included as a terrorist group by the EU. Like Sinn Féin and the IRA in Northern Ireland, Batasuna does not condemn ETA's actions, saying they are merely another element of the Basque problem.<sup>47</sup> The response of Batasuna to this banning was that if ETA's violence has to be condemned then the government's violence has to be condemned as well.

This legal decision means that Batasuna cannot receive funds from the state. Being illegal also prevents Batasuna and all parties affiliated to participate in Spanish elections. Legal texts prevent the formation of Batasuna under other names but its members planned to run for the provincial and local elections of May 2003 under other names. For defenders of Batasuna, this move is illegal and clearly demonstrates the will of the Spanish government to muzzle all opposition. It reminds one strongly of the Colombian state's opposition to the existence of UP: it demonstrates that the State has a role to play when it comes to the transformation of a terrorist movement into a political party. Acknowledgement by the state is necessary to grant some legitimacy to the new political actor.

In spite of its banning, Batasuna has organized or supported numerous rallies, public actions and several workplace strikes. The problem is that during some of these demonstrations, the ETA is present. For example, Batasuna called for a day of protest and a general strike after street attacks against the offices of the Basque Nationalist Party.<sup>48</sup> During the strike, several bombs placed by ETA exploded. These actions are not contributing to the assertion of the political legitimacy of Batasuna. They create confusion and chaos and give more weight to the arguments of the State of Spain. Indeed Otegi was later ordered to appear in court because of these bomb attacks: a Batasuna leader was called to explain ETA's actions. This demonstrates the confusion that exists in all minds, confusion created by Batasuna's behaviour and misused by Spanish authorities to condemn Batasuna. The problem goes even further as Otegi publicly honoured an ETA leader, Jose Miguel Benaran Ordenanna (known as 'Argala') killed in France in December 1978 by a Spanish far-right-wing group. The party, however, managed to play a role in elections: it has coordinated a variety of forms of participation (or 'quantifiable non-participation') in recent elections. Batasuna voters have been encouraged to vote for other Basque Nationalist parties.

### *Impact in Politics*

Despite all these discussion about the nature and the political status of Batasuna, one must acknowledge that the party reflects the thoughts, wishes and expectations of part of the Basque population. This shows in the polls results: the party won 170,000 votes in the first general elections in March 1979. It boycotted the 2000 general elections. In 2001, it got 10.12 per cent of the vote in the regional election, which

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47 'Who are Eta?', BBC, profile updated 5 January 2007, at <<http://news.bbc.co.uk/1/hi/world/europe/3500728.stm>>, accessed 26 July 2007.

48 'Batasuna llama a la huelga en Euskadi por la prohibición de homenajes a etarras muertos', *El Mundo*, 5 March 2006.

is lower than the 1998 regional elections when the party had got 17.91 per cent.<sup>49</sup> Batasuna also participated in the elections of the Basque Autonomous Parliament.<sup>50</sup> The party had one representative in the European Parliament and two representatives in the Spanish Parliaments (before 2000)<sup>51</sup> and ruled more than 60 local councils.<sup>52</sup> Batasuna had 890 municipal advisers in 2002.<sup>53</sup>

The majority of Spanish Parliamentarians supported the will of the State to banish Batasuna from the political sphere. The moderate nationalists were against this banning as they feared retaliations from ETA. The fact that the banning occurred almost 20 years after the creation of the party demonstrates the fear the Spanish authorities have of looking like the Franco regime in repressing political parties.<sup>54</sup> However, the War on Terror has opened new perspectives and Spain dares to challenge Batasuna and ETA. Juan José Ibarretxe, who is the leader of the PNV, warned the government that this might give more credibility to ETA: political actions having failed, using force would only be justification for ETA. The same reasoning is held today by FARC. Indeed, ETA responded to the banning of Batasuna by calling for retaliations.

Despite the banning, Batasuna tries to influence the elections differently. It has presented members under other lists and political parties. For example, in May 2004, *Herritarran Zerrenda* (HZ or Citizen's List) was presented in Spain and in France at the European Parliament elections. It was actually the new shape of Batasuna and the Spanish tribunals barred it from participating in elections. However, the HZ list remained legal in France. An unknown party *Euskal Herrietako Alderdi Komunista* (EHAK or Communist Party of the Basque Peoples) entered the political arena with a list. The party really existed, as it was created in 2002 but became politically active for the 2005 elections. This time, there was no evidence found to declare this party illegal and Batasuna asked their supporters to vote for EHAK. It won 12.5 per cent, entering the Basque Parliament with nine seats.<sup>55</sup>

In May 2007, the Basque party ANV was allowed to participate in the local and regional elections before that authorization was withdrawn by the Supreme Tribunal on the grounds that ANV was close to Batasuna. ANV was created in 1930 and was in 1978 one of the movements participating in Batasuna's creation.<sup>56</sup> It was until 2007 a sleeping party without any political activity, but legal. In another decision, the Tribunal also prevented 100 candidates featuring on the list of *Abertzale Sozialisten* (ASB), supported by Batasuna, from participating in the elections because of their

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49 Galloy, C. (2002), 'Espagne: mise hors-la-loi de Batasuna, bras politique des séparatistes basques de l'ETA', *Latinreporters*, 26 August 2002, at <<http://www.latinreporters.com/espagnepol26082002.html>>, accessed 26 July 2007.

50 See the results at <<http://www9.euskadi.net/q93TodoWar/q93Desplegar.jsp>>, accessed 26 July 2007.

51 'Who are Eta?', *supra* note 47.

52 'Profile: Batasuna', BBC News, 27 August 2002.

53 Galloy, *supra* footnote 49.

54 Galloy, *supra* footnote 49.

55 To see the results, visit <[http://www.elmundo.es/especiales/2005/03/espana/elecciones\\_pv/resultados/](http://www.elmundo.es/especiales/2005/03/espana/elecciones_pv/resultados/)>, last accessed 26 July 2007.

56 Bèle, P. (2007), 'Batasuna perturbe les élections', *Le Figaro*, 26 May.

links to Batasuna. This policy clearly demonstrates a will to prevent the political arm of ETA from having any political role in Spain. Although all these decisions are legal, they seem very contrary to the freedom of political participation. Besides, as Arnaldo Ortegi underlined, this policy makes it more difficult to talk of peace.<sup>57</sup> It also prevents Batasuna from becoming a real political actor, which might convince ETA to disarm.

*Peace Dialogue: the Support of Batasuna for ETA in Peace Talks*

Ortegi called for a peaceful dialogue between ETA and the Spanish government to end the armed conflict. The government agrees to such negotiations as long as ETA disarms.<sup>58</sup> Once again, the issue of disarmament is crucial in peace negotiations, just as it has been in Colombia, Lebanon and in Northern Ireland. As for the ANC, it was the group that decided itself when it would be wise to disarm.

Spanish politicians, parliamentarians and officials remain quite divided as the attitude to adopt regarding Batasuna and its political role. There was a debate regarding promises made to ETA by the Zapatero government. The opposition suspected that the Zapatero government went too far and made non-constitutional promises. The ETA newspaper, *Gara*, also implied that the government made promises that went beyond the Constitution and Spanish laws so as to ensure the peace process. All hopes for a successful peace process ended after a terrorist attack on 30 December 2006: ETA bombed Madrid airport and Batasuna did not condemn these attacks. The airport attack was justified by ETA on the grounds that the concessions made by Zapatero had to be respected or else there would be more attacks. The Spanish government was therefore caught between promises that might be non-constitutional and its commitments towards ETA in order to avoid more attacks. There was a parliamentary debate on the issue of terrorism in January 2007. The failure of the ceasefire led to calls for the resignation of Zapatero. Others wanted the peace effort to go on. Some argue that the process failed because of the multiple pressures on Zapatero, aimed at irritating ETA and provoking it into violent retaliation.<sup>59</sup> Batasuna declared after the end of the ceasefire that all hope for a peaceful solution was not lost.<sup>60</sup>

## **A New Beginning?**

Even though Batasuna is today in a difficult situation, some analysts believe that it could assume the leadership in new peace talks. This would give some new legitimacy to the party and might encourage its integration into Spanish political life. The party seems indeed to be carrying out collective thinking about the future

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57 'Les partis proches de Batasuna en ligne de mire', *LCI*, 6 May 2007.

58 'Basque party calls for peace talks', *BBC*, 14 November 2004.

59 Nash, E. (2007), 'Thousands protest at Eta airport bomb attack', *The Independent*, 1 January.

60 'Spanish PM suspends ETA talks after airport attack, ABC News, 31 December 2006.

of the Basques and the political actions and solutions available. However, as long as the State does not lift the ban on Batasuna, there seems to be no way for Batasuna to play an effective and positive role. In 2006, Zapatero spoke of lifting the ban on the political party.<sup>61</sup> The condition was that Batasuna had to follow rules set down for all political parties. As Batasuna still refused to condemn ETA, a judge renewed the ban for two more years. The leader of Batasuna was arrested in June 2007, which demonstrates that the State can only think of repression for now. The main issue is the link between ETA and Batasuna: indeed, instead of playing a political role in a democratic way, Batasuna backed up ETA as it began threatening politicians. For example, after the municipal elections of May 2007, some elected representatives did not dare to show up to begin work because their lives were threatened by ETA. In some villages, independentists have even blocked the access to city halls.<sup>62</sup> So on the one hand, Batasuna has been successful in presenting itself as a victim of the Spanish State, and on the other hand, the party supports violent and non-democratic actions.

The 2006 ceasefire looked as if it would be a permanent one and would ensure a proper transformation of ETA into a legitimate political party. Negotiations were even supported at the international level by personalities such as Gerry Adams in his role as Nobel peace prizewinner.<sup>63</sup> For experts, the 30 December 2006 attack was ETA's worst mistake in its history. ETA demonstrated that, when facing a choice, it preferred violence over democracy.<sup>64</sup> By breaking the ceasefire declared on 22 March 2006, ETA demonstrated it did not respect peace and did not consider any serious alternative to its violent actions. Some say the dialogue was over a while ago when 350 weapons were stolen in France in October 2006.<sup>65</sup> Everyone was, however, caught by surprise when the attack occurred; Zapatero himself was demonstrating how effective his policy was a few hours before the attack. Batasuna paid the price for it as it still refuses to condemn ETA attacks. There seems no other option for the Spanish government than adopting a harsh position towards this political party: as long as Batasuna refuses to condemn ETA's use of violence, it will not be considered as a legitimate political party.<sup>66</sup> This situation is very similar to the one in Northern Ireland when Tony Blair had to deal with terrible attacks such as Omagh in 1998 that threatened the peace talks, while trying to keep channels of communication open. The difference is that the IRA realized it was time to end violent actions and give political action a chance. ETA does not seem ready to suspend its actions and does not take the political backdrop into account.

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61 'En Espagne, Zapatero ouvre la voie à la légalisation de Batasuna', *El Pais in Le Courier International online*, 13 October 2006, at <[http://www.courrierinternational.com/article.asp?obj\\_id=67089](http://www.courrierinternational.com/article.asp?obj_id=67089)>, accessed 27 July 2007.

62 Bèle, P. (2007), 'Les indépendantistes se replacent sur l'échiquier basque', *Le Figaro*, 26 July.

63 Latin Reporters (2006), 'Espagne – ETA: Zapatero piégé par l'internationalisation du processus de paix?', *Latin Reporters* at <C:\Book Terrorism\ETA\Espagne – ETA Zapatero piégé par l'internationalisation du processus de paix.mht>.

64 Wieviorka, M. (1993), *Eta et la violence politique au Pays Basque*, UNRISD Discussion Paper 40 (Geneva: United Nations Research Institute for Social Development).

65 *Le Courier Internationale*, 839, 30 November–6 December 2006.

66 *La Vanguardia*, January 2007.

The non-respect of the ceasefire was a severe blow for ETA and Batasuna. The new leaders of ETA are young people who are rather intransigent and who missed an opportunity to change the face of the movement and to support Batasuna in its political quest. Many senior members of the organization have been imprisoned or are on the run and the young guard is 'overdoing' it. Members released from prison do not join the group anymore. This summarizes well the state of ETA nowadays. ETA has become far more warlike and is basically out of control. Besides, if the police knew the former leaders of ETA, they are quite lost when it comes to new heads. The bombing of the airport in 2006 was very violent and demonstrated the line adopted by these new leaders. There seems to be no possibility for the officials to set up a dialogue for now. Besides, tensions are high as the police are tailing down all these new leaders and some police actions have been quite successful.<sup>67</sup> The violence used by the 'new' ETA seems to have been a mistake. Madrid has tried since to establish new peace talks but ETA has responded by attempts of terrorist attacks.<sup>68</sup> It seems therefore clear that ETA and its political avatar Batasuna are unable to play the political game.<sup>69</sup> Even though 90 per cent of the Basques condemn violence today, ETA continues to strive for a cause without much democratic support. An analysis of the ETA results in elections demonstrated that the movement has not progressed in the polls since 1980.<sup>70</sup> In a way, ETA is unable to turn into a political party or to exploit the existence of Batasuna because its members have become common criminals, especially with the thefts of weapons carried out in France and in Portugal.<sup>71</sup> This has been reinforced by the 'revolutionary tax', by which the movement extracts bribes from businesspeople working in the Basque country.<sup>72</sup> Besides, like FARC, ETA practises kidnapping, extortion, robbery and arms trafficking. There is also money coming from Batasuna,<sup>73</sup> which blurs even more the distinction between the two movements. Even though ETA seeks legitimacy in calling this struggle a cause, the truth is that national freedom cannot be the aim of a group that blows up airports, as Al Qaeda tried to do in Scotland in the summer of 2007. As for Batasuna, not condemning such attacks comes down, in people's minds, to agreeing with them.

Besides, it seems that the truce and ceasefire were actually the result of the 2004 attacks in Madrid and that ETA felt, at the time, that it could not move forward

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67 Ordaz, P. (2007), 'Après la Rupture du cessez-le-feu: Ce qu'il reste d'ETA', *El Pais*, in *Le Courrier International*, no. 849, 8 February 2007.

68 'La police espagnole déjoue de peu un attentat d'ETA', *El Pais*, 1 July 2007.

69 Alfaro, E. (2007), 'L'Espagne: L'Eta reprend les armes comme d'habitude', *El Pais*, in *Le Courrier International*, no. 867, 14 June 2007.

70 *Id.*

71 Rodrigues Lima, C. and Lourenço, R. (2007), 'Des explosifs en libre-service', *Expresso*, in *Le Courrier International*, no. 871, 12 July 2007.

72 Buesa, M. (2006), 'ETA en "Alto el Fuego": Nueve Meses de Actividad Terrorista Quinto Informe de Verificación de la Violencia Terrorista', 30 December 2006, at <<http://www.latinreporters.com/espagneETAInformeMikelBuesa31122006.pdf>>.

73 Cronin, A.K. (2004), *Foreign Terrorist Organizations*, Report for Congress (Washington DC: Congressional Research Service).

anymore and had no other choice than negotiating.<sup>74</sup> Consequently, this move was not motivated by a strong inner will to become politically legitimated, but by a will to ensure the viability of the movement. Weakened, the organization had to do something: aware that massive killing of civilians had become a sort of trademark of Al Qaeda, ETA tried another solution, but failed. Zapatero even spoke of a 'totalitarian delirium'.<sup>75</sup> The situation today is that there is a total loss of credibility that hampers any discussion: ETA has lost all respect because it did not respect its word and the Spanish government has lost its credibility because it has been unable to protect its citizens. Spanish courts have since confirmed the decision to ban Batasuna and this ban has been extended for two more years in 2006. The Congress of Batasuna, supposed to take place in January, was also prohibited.<sup>76</sup>

The lack of autonomy of Batasuna is also incriminated: if Batasuna could act without ETA, the party would be therefore be differentiated from ETA.<sup>77</sup> When Batasuna was prohibited in 2003, some experts declared this was an opportunity for the party to become independent from ETA.<sup>78</sup> It could have been a chance for Batasuna to stop its 'social cannibalism'.<sup>79</sup>

However, a question should be raised: if Spain had played the democratic game truthfully and had allowed ETA and other movements to participate in elections, would ETA be such a threat today? Can we compare the situation of ETA to the one of FARC, except for the fact that UP members were exterminated? Besides, once more the matter of disarmament is at the core of the debate, just like it was for the IRA and is for FARC and Hezbollah today.

## **In Conclusion**

ETA has carried out many attacks, with concrete political results such as the autonomy of the Basques.<sup>80</sup> The endless struggle has not brought independence but has brought major concessions from the State. This raises of course the issue of how efficient violent actions are. Terrorism does work, but for a limited time.

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74 Royo, X.P. (2007), 'ETA: simple trêve ou défaite?', *El Periodico de Catalunya*, in *Le Courier International*, no. 804, 30 March 2007.

75 Galloy, C. 2007, 'Espagne: l'ETA reprend les armes "sur tous les fronts" et Zapatero mobilise contre ce "délire totalitaire" ', *Latinreporters.com*, 5 June 2007, at <<http://www.latinreporters.com/espagnepol05062007.html>>, accessed 27 July 2007.

76 'Batasuna reste interdit pour deux ans supplémentaires', *El Pais* in *Le Courier International online*, 18 January 2006 , at <[http://www.courrierinternational.com/article.asp?obj\\_id=59193](http://www.courrierinternational.com/article.asp?obj_id=59193)>, accessed 27 July 2007; 'El juez ordena el cierre de un local donde se reunió Batasuna dos días antes del acto de Barakaldo', *El Mundo*, 10 February 2006.

77 Sánchez-Vicente, C. (1998), 'Pays basque: et si l'on s'inspirait de l'accord irlandais?', *La Vanguardia*, April 1998, in *Le Courier International*, no. 390, 23 April 1996.

78 Unzueta, P. (2003), 'Et si l'interdiction était une bonne chose pour Batasuna?', *El Pais*, March 2003, in *Le Courier International*, no. 647, 27 March 2003.

79 Gorospe, P. (2002), 'Pourquoi Batasuna survivra à son interdiction', *El Pais*, September 2002, in *Le Courier International*, no. 618, 5 September 2002.

80 Chaliand, G. and Blin, A. (2004), *Histoire du terrorisme: de l'antiquité à Al Qaeda* (Paris: Fayard).

One should underline that ETA was democratic in its very nature at the beginning and acted against a non-democratic background. The movement underwent a radicalization very much like the one of the IRA.

The main problem with ETA is that it turns to politics only when it is the only solution left. It does not seem to believe in a political path. As for Batasuna, it uses its situation as a political party to justify terror and is a tool for propaganda aiming at justifying ETA's actions. Therefore it is necessary for these two movements to understand that politics is the only path towards peace and to achieve political aims. This is why Batasuna should develop its political programme further than self-determination.

Another obstacle on the path to normalization is the constant opposition of the State to Batasuna: in the name of protecting democracy, the country does violate basic political rights. It seems that it has its mind set on destroying Batasuna and ETA, which would lead to control of the Basque country.<sup>81</sup>

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<sup>81</sup> Woodworth, P. (2001), *Dirty War, Clean Hands: Eta, the Gal and Spanish Democracy* (Cork: Cork University Press).

## Chapter 5

# The Islamic Resistance Movement in Palestine ( Hamas ): a Successful Transition, but will it Survive?

Rachael M. Rudolph

Hezbollah's transition from liberation organization to political party led to speculation as to whether Hamas too would make a similar transition. For any academic who follows them closely, it was not a matter of whether or not Hamas would, but when the transition would occur. Then, in January 2006, through its political party Change and Reform, Hamas ran for and won the majority seats in the Palestinian legislative elections. In order to understand the successful transition from resistance movement to political party, this chapter seeks to examine the origins, organization and leadership structure, political ideology and programme, and the domestic and foreign policies of Hamas. With the successful transition, the question begging is whether Hamas will suffer a similar fate to the Islamic Salvation Front. Will it fail as a political party and revert to a resistance movement?

### Political Islam in Palestine and the Origins of Hamas

Hamas, like the majority of the other Islamist groups in Palestine, originated from the Muslim Brotherhood Society in the West Bank and Gaza, which has its origin in the Muslim Brotherhood Society of Egypt.<sup>1</sup> The Muslim Brotherhood, founded in 1928 by Hassan al-Banna in Egypt, became involved in the West Bank and Gaza in 1935.<sup>2</sup> Its involvement was due to the belief that Palestine is their homeland and the Palestinian cause is the cause of every Muslim. According to Sheikh al-Banna, '[in] every region in which there is a Muslim saying "there is no God but Allah, and Muhammad [PBUH] is the Messenger of Allah" is our homeland, inviolable and sacred, demanding love, sincerity, and sincere efforts for the sake of its welfare'.<sup>3</sup>

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1 Legrin, Jean-Francois, 'The Islamic Movement and the Intifada', Ch. 11 in J. Nassar and Roger Heacock (eds) (1990), *Intifada: Palestine at the Crossroads* (online book) (New York: Praeger), accessed 23 May 2007. Available from *Questia*, at <<http://www.questia.com/PM.qst?a=o&d=26088030>>.

2 Abu-Amr, Z. (1994), *Islamic Fundamentalism in the West Bank and Gaza* (Bloomington: Indiana University Press).

3 Saleh, Moshen (2006), 'Hassan al-Banna's Centenary ... Attitude towards Palestinian Cause', *Ikhwanweb Cairo*: 1, at <<http://www.ikhwanweb.com/>>, accessed 25 May 2007.



Therefore, al-Banna, declared that ‘... those stopping short of helping Palestine are actually stopping short of defending Allah and His messenger’.<sup>4</sup> In fact, the inability of Muslims to liberate Palestine, al-Banna argued, is due to their weakness and backwardness from religion.<sup>5</sup> Therefore, the Muslim Brotherhood Society in Palestine emphasized Islamization from the bottom up and renounced violence as a means for addressing the Palestinian question. It was not until the outbreak of the Intifada in 1987 that the Muslim Brotherhood Society in Palestine, with the creation of the Islamic Resistance Movement (Hamas), chose a different path.

### **Emergence of a Resistance Movement, its Organization, Ideology and Programme**

Beginning in the 1980s, the Muslim Brotherhood Society in Palestine became increasingly politicized due to the occupation and discontent among many of its members.<sup>6</sup> They had always advocated non-violence in the past, but with the political context during this period, many felt they could no longer stand idle while events unfolded. Many of those who left the Brotherhood joined the Islamic Jihad Movement in Palestine. Risking irrelevance with the eruption of the Intifada, the Brotherhood began formulating contingency plans. These plans resulted in the emergence of a separate organization, *al-Harakat al-Muqawma al-Islamiyya fi Falastine* (the Islamic Resistance Movement in Palestine), which came to be known by its acronym Hamas.<sup>7</sup>

Unlike Fatah or the PLO (Palestine Liberation Organization), Hamas was founded and developed inside Palestine. It therefore was constructed and shaped by occupation.<sup>8</sup> Created specifically for engaging in resistance against the occupation, Hamas represents the creation of a new Islamic *ummah* (community) and the Muslim generation that carries the banner of Islam. While its participation in the Intifada was intended to serve the political objective of the Muslim Brotherhood Society in Palestine, Hamas was created with the intent of being a separate entity. The idea was that if they failed, then the Brotherhood in Palestine could remove or keep them separate; but, if they succeeded, then the Brotherhood could claim them as a wing of the society.<sup>9</sup> This is why the charter identifies Hamas as a wing

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4 *Id.*, 2.

5 ‘Jihad’ in Arabic means ‘to strive’. There are 14 ways in which jihad can be performed, wherein combative jihad is one. From Sheikh Al-Banna’s quotation it is not clear if what he is referring to is combative jihad or rather jihad by the tongue and heart. Later, especially prior to the start of the 1948 war, performing jihad did include combative jihad, or jihad by the hand. Jihad by the hand refers to physical exertion by means of wealth and/or combat.

6 El-Awaisi, A. (1998), *The Muslim Brothers and the Palestine Question 1928–1947* (London: Tauris Academic Studies).

7 Hroub, K. (2000), *Hamas: Political Thought and Practice* (Institute of Palestine Studies).

8 Baumgarten, H. (2005), ‘The Three Faces/Phases of Palestinian Nationalism’, *Journal of Palestine Studies*, 34:4, 25–48.

9 Abu-Amr, *supra* note 2.

of the Muslim Brotherhood in Palestine. In reality, however, it is more appropriate to say the Muslim Brotherhood Society in Palestine is a wing of Hamas. Due to its popularity once it took up arms, the organization took on a life of its own and could not be incorporated.

## The Organization

The changing political context during this time was such that it was no longer possible for the Muslim Brotherhood Society in the West Bank and Gaza to remain non-violent. Violence, however, is contrary to the political ideology of the Brotherhood. Therefore, in order to engage in resistance, to engage in violence, a new organization had to be created, the foundation of which was set forth in a meeting on 12 December 1987 at Sheikh Ahmed Yasin's house, wherein Abd-al-Aziz Rantisi, Ibrahim al-Yazari, Sheikh Salah Shihada, Muhammad Sham'a, Abd al-Fatah Dukhan and Issa al-Nashar were present.<sup>10</sup> These individuals comprised the first leadership of the political, security, military and information bodies of the movement.

Structurally, Hamas is similar to that of other Islamic resistance movements. It combines democratic centralism with that of Islam. This type of organization structure is adopted by Islamic resistance movements because it reduces fragmentation.<sup>11</sup> Fragmentation is often the cause of the weakening or demise of movements, which is why organizational structure is so important.<sup>12</sup> There is no homogeneity among groups; all resistance movements, regardless of whether they are nationalistic (such as the IRA), secular (such as FARC), or religious, consist of individuals and/or factions that have competing ideas and interests. Likewise, Hamas is not a homogenous movement. Divisions exist therein politically, militarily, and according to geography and ideology.<sup>13</sup> Therefore, to prevent these from resulting in fragmentation, Hamas adopts the Islamic decentralized but democratically centralized organizational structure.

Hamas is comprised of political, security, military and information bodies. The political body came into existence in 1991.<sup>14</sup> It is, according to Salah Shihada, a martyred military commander, the head and sovereign over the other bodies.<sup>15</sup> Prior to 1991, Hamas had to constantly reconstruct its leadership bodies due to frequent arrests, assassinations or deportations. In fact, by 1992, Israel had arrested, deported or liquidated much of the first, second and third generations.<sup>16</sup> The elimination of the

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10 *Id.*

11 See chapters in this book on the Palestinian Islamic Jihad, the Moro Islamic Liberation Front in the Philippines, and Hezbollah.

12 See the section on the failure of the Islamic Salvation Front, as well as the failure of Abu Sayyaf.

13 Crisis Group (2007), 'After Mecca: Engaging Hamas', *Crisis Group Middle East Report*, 62, 1–40.

14 Abu-Amr, *supra* note 2.

15 Levitt, M. (2004), 'Hamas from Cradle to Grave', *Middle East Quarterly*: 3–15.

16 *Id.*

inside leadership, in one form or another, resulted in the exiled leadership becoming influential in the organizational structure of the movement.<sup>17</sup>

When Sheikh Yasin was arrested in the late 1980s, there was a structural crisis. This prompted Ibrahim Ghawsha, Imad Khalil al-Alami, Musa Abu Marzouq, Ahmad Yusef, and Khaled Mish'al to rebuild the organization's infrastructure, which is how the politburo was created.<sup>18</sup> The politburo is the policy apparatus of the movement, wherein policies are formulated for implementation by the committees or local branches. A Hamas leader in Palestine said there are four committees that participate in the decision-making process: West Bank, Gaza, prisoners, and those in exile. If any three endorse a position, it becomes the decision of the movement.<sup>19</sup> The politburo is headed by an elected member of the movement, who is chosen by the consultative council. The consultative council is comprised of members inside and outside of Palestine. Decision-making, however, is not the exclusive prerogative of the head of the consultative council. Rather, it is the council itself that makes policy.

Decisions are made by consensus. According to Salah Bardawil, a Hamas legislator, every decision of the movement must go through the necessary decision-making levels before it becomes policy.<sup>20</sup> Consultation safeguards the process, as it prevents hasty, individual decisions and helps to ensure that decisions will endure. Moreover, it helps to contain dissent. Once a decision is made, every member is required to adopt it as his or her own point of view.<sup>21</sup> The implementation of decisions, however, is left to the committees or local branches. They have independent decision-making capacity as regards implementation.

### A Representation of Political Ideology

Hamas represents the creation of a new Islamic *ummah* and the Muslim generation that carries the banner of Islam. It was created, according to Mahmoud Zahhar, a senior member of Hamas in Gaza, for 'our people to enjoy freedom, independence, and a dignified life with our neighbours in this holy part of the world ...'<sup>22</sup> Therefore, in the words of Khaled Mish'al, Chairman of the Politburo, 'Hamas is committed to restoring the natural rights of the Palestinian nation and to liberate all of the occupied territories, including occupied Holy Quds ... [and] repatriating all of the refugees.' It is not surprising then that its political ideology is derived first and foremost from *jihad*.

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17 Crisis Group, *supra* note 13.

18 Barsky, Y. (2006). 'Hamas: The Islamic Resistance Movement of Palestine', *American Jewish Committee's Division on Middle East and International Terrorism*: 1–42.

19 Crisis Group (2006), 'Palestinians, Israel, and the Quartet: Pulling Back From the Brink', *Crisis Group Middle East Report*, 54, 1–48.

20 Crisis Group, *supra* note 19.

21 Crisis Group, *supra* note 19. Interview with a Hamas activist in Gaza City in November 2006.

22 Crisis Group, *supra* note 19.

Jihad, which means ‘strive’ in Arabic, has many different forms. For Hamas, the banner of jihad to be raised requires the diffusion of Islamic consciousness among the masses on regional, Arab and Islamic levels through the heart.<sup>23</sup> Therefore, the first step is that of education. It is only afterward and with the presence of certain conditions determined spatially and temporarily that combative jihad can be waged. Combative jihad or violent resistance, then, is not the first or only step in the attainment of the movement’s political ends.

The political ideology upon which the movement was founded is both universalistic and particularistic in nature.<sup>24</sup> It is universalistic in the sense that Islam is universal. It is particularistic in the sense that the emphasis is on Palestine and Palestinian nationalism. Thus, it is religiously based in the sense that Islam provides the foundation and motivation for nationalist goals.<sup>25</sup> It is Palestine first, Arab second and Islam third. Since inception, its political idea has been the creation of an Islamic state through resistance and education. The first is to be achieved through armed struggle and the latter through the development of social, cultural, and educational institutions for the purpose of instilling Islamic belief, traditions, and values in society.<sup>26</sup> The movement, however, changed over the years. While an Islamic state remains ideal, a state, even if secular in nature, will be accepted if that is the choice of the majority. The implementation of an Islamic state, according to Hamas officials, is only possible if it is democratically chosen; otherwise, a Palestinian state with a strong role for Islam would be sufficient.<sup>27</sup>

### **Political Programme of the Resistance Movement: the Foundation for its Domestic and Foreign Policies**

Prior to discussing Hamas’s political programme and policies, the methods used for making inferences must be articulated. All data for analysis were derived from primary and secondary sources, primary sources being documents such as speeches, communiqués, articles, videos, etc., from the movement itself. Information was also obtained and/or verified, where indicated, through interviews conducted while the author was in Palestine in summer 2007. Secondary sources were used only wherein leaders and/or members of the movement were quoted directly. It was felt this method best ensured that the position of the movement, from their own words, could best be captured.

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23 *The Charter of Hamas – The Charter of Allah: The Platform of the Islamic Resistance Movement (Hamas)*, Center for Policy Analysis, at <<http://www.palestinecenter.org/cpap/documents/charter.htm>>.

24 This is demonstrated in its Charter, see *Charter of Hamas*, *supra* note 23.

25 Baumgarten, *supra* note 8.

26 *Charter of Hamas*, *supra* note 23.

27 Crisis Group, *supra* note 19.

While its Charter provides the foundation upon which Hamas's political programme is built, the programme itself is not static but evolutionary.<sup>28</sup> The programme during the first Intifada included, in order of priority:

- engaging in resistance;
- development of social and educational programmes;
- development of economic programmes for the provision of funds for families, redistribution and charity;
- development of cultural programmes for the promotion of Islamic values and the development of committees to manage daily needs;
- development of security mechanisms for the provision of guards for protection and prevention of criminal activity.

Following the Intifada and during the Oslo period, the programme included: maintenance of resistance with recognition that the old methods of resistance no longer work, thus resulting in the adoption of martyrdom operations and more targeted attacks; development of a political programme regarding the rejection of the peace process but honouring peace if Israel withdraws completely and rejection of participation in elections during the Oslo period but not for the future; and, finally, maintenance of a security programme to prevent internecine fighting. The post-Oslo programme included:

- the maintenance of the right to resistance, as an international right, but recognition that it should still be conducted out of the interest of the people and in coordination with other groups;
- the maintenance of security to prevent internecine fighting;
- maintenance of its political programme articulated in the Oslo period; and
- maintenance of its social and cultural programmes.

These programmes provide the foundation upon which specific domestic and foreign policies are developed.

### **Domestic and Foreign Policies of Hamas**

The aforementioned evolving political programmes provide the foundation for Hamas's domestic and foreign policies.<sup>29</sup> Prior to examining the policies, the coding rules for their identification must be articulated. Domestic policies were identified by whether they dealt with domestic relations. These relations were coded according to whether they were political, economic, social or cultural. Afterward, they were coded a second time to determine the form of relations; that is, whether relations consisted of resistance, negotiation, cooperation, or compromise. Foreign policies

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<sup>28</sup> The evolutionary nature of Hamas's political programme was determined by analysing public statements of leaders and members from 1987 to the present.

<sup>29</sup> Data derived from public statements of leaders and members from 1987 to the present.

were identified by whether they dealt with external relations. These policies then followed the same coding rules for domestic policies.

Hamas is first and foremost a resistance organization. Its policy of resistance during the first Intifada is characterized by strikes, demonstrations, and graffiti and pamphlet wars. Due to its popularity, Hamas did not have difficulty with public compliance. However, in some instances, the movement did use coercive threats to ensure compliance but this was mainly with Fatah-affiliated businesses. Finally, its policy of resistance during this period is characterized by collaboration and coordination with other resistance groups.

During the Oslo period, there was a slight policy change. This was due in large part to popular support for the peace negotiations among the Palestinian population. Hamas recognized that old resistance tactics would not be sufficient. Thus, it adopted martyrdom operations to influence negotiations. It was also during this period that it offered for the first time a truce. Hamas offered to stop targeting civilians if Israel stopped its organized terror against Hamas leaders and its military; stopped its aggression against Palestinian citizens; and released political and security prisoners, beginning with women, children, the elderly and the sick.

The post-Oslo policy of resistance is characterized by a continuation of martyrdom operations in response to Israeli attacks against its leaders, military and Palestinian citizens; coordination with the Islamic Jihad Movement; and, finally, the adoption of a war of attrition policy. Interestingly, after Sheikh Yasin was assassinated in 2004, the movement adopted a more nuanced policy of resistance. Resistance is to be reserved as a right, an international right, but more political means have been and would be adopted. This in particular marked the turning point in the movement's transition from resistance to a quasi-political party. It indicated the development of the political will to take a more active role in the political process.

Hamas' policy on internal security during the first Intifada consisted of the movement calling for a halt on internecine fighting; the punishment of Palestinian collaborators; and harsh penalties such as execution of those involved in criminal activity. With the latter, there was a change from a punishment by execution to beatings and lashings of those involved in criminal activity. This change was due to public discontent over the harsh penalties. During the Oslo period, there was no change in the aforementioned except that it threatened to engage in war with the PLO if the latter did not halt their targeting of its leaders and members. Similar to the Oslo period, there was no change in its internal security policy post-Oslo except that it began calling for internal dialogue to prevent internecine violence.

The foundation of Hamas's socio-cultural policy was developed under the auspices of the Muslim Brotherhood Society in Palestine. Since its inception, Hamas's policy has remained consistent. It is characterized by the development of social and cultural networks and the provision of welfare benefits to all Palestinians regardless of religion or support of the movement. Given the role of education in Islamicizing from the bottom up under the Muslim Brotherhood Society in Palestine, Hamas gave primacy to education; in particular, teaching religious duties, comprehensive study of the Qur'an, Sunnah, and Islamic history and heritage from authentic sources. It also promotes the study of Israel to learn strengths and weaknesses, and the study

of current events. These studies allow Palestinians to know their aim, objective, and context in which they are living.

Finally, with respect to women, it promotes and develops programmes to help them function effectively in the society in which they live. The development of its socio-cultural policy and the provision of welfare benefits to all Palestinians irrespective of religion or political affiliation have in part enabled the movement to maintain its position as one of the major influential political actors in Palestine. The provision of socio-welfare benefits to all Palestinians is extremely significant. Many Fatah-affiliated and Christian organizations limit their services to those affiliated with the first and those of similar religious beliefs and practices in the second.<sup>30</sup> Not making a similar distinction, Hamas has continued to maintain its importance in the domestic sphere.<sup>31</sup>

With respect to its relations with other Palestinian groups, Hamas has maintained a policy of cooperation and dialogue. Its policy toward other Islamic movements is characterized by respect and appreciation and the goal of maintaining unity. It does not believe in slandering or speaking ill of individuals or groups and recognizes that differentiation should be made according to their actual behaviour and the rhetorical position taken. Its policy toward other nationalist movements is also one of respect, support and coordinated assistance for liberation from occupation and the creation of a Palestinian state. However, the movement detests opportunism and corruption. This is in part what forms the movement's hostility toward some factions within Fatah. It is also what makes Hamas in part the preferred candidate in Palestinian politics.<sup>32</sup> As for its relationship with the PLO, Hamas adopts a policy of respect and coordination. Moreover, it recognizes the PLO as the sole representative of the Palestinians in negotiations with Israel.<sup>33</sup>

With respect to the movement's foreign policy, it calls for a policy of cooperation, coordination and dialogue. Specifically, over the years, the movement has called on Arab and Islamic governments and the international community to do more to help with the creation of a Palestinian state and other issues such as immigration and human rights abuses. It attends meetings and conferences abroad to promote the Palestinian cause. It places representatives in foreign countries such as Lebanon, Syria, Iran and Egypt in order to lobby and seek material and financial support for the Palestinian cause. Finally, the movement releases statements and comments on external events and issues such as in Afghanistan, Iraq, Kuwait, Iran and the US.

In both domestic and foreign policies, Hamas has maintained an effective information policy. It is quick to deliver statements explaining both actions taken and policy positions. This is largely due to the organization's understanding that the media comprise both an effective domestic and foreign policy tool. The only problem, which may not be due to any fault of its own, is effective use of international media. Israel still continues to dominate Western media, which influences the way in

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30 Author's interviews with Palestinians and organizations located in Palestine during the summer of 2007.

31 PIJ, which is discussed in the next chapter, has a similar policy to Hamas.

32 Author's interviews with Palestinians in the West Bank in the summer of 2007.

33 Crisis Group, *supra* note 19.

which the movement and its positions are perceived by the international community. However, with the increasing influence and prominence of al-Jazeera and al-Arabiyya in Europe, future foreign information policy is likely to improve.

Like PIJ and other Islamic resistance movements covered in this book (FIS, Hezbollah, MILF, MNLF and ASG), Hamas does not have an effective outreach policy that targets the West. Therefore, Hamas must familiarize the international community with its programme, goals and objectives. It cannot continue to allow a distorted representation of the aforementioned. It cannot continue to allow Westerners' perception to be defined and dominated by that of the media and the Israeli lobby. An effective outreach policy, similar to their domestic policy of Islamic education, needs to begin from the bottom upwards. This will eventually result in greater awareness of it as a resistance movement, political actor, and political party instead of it being known as a 'terrorist' organization, which it is not.

### **The Transition of Hamas and the Birth of Change and Reform**

The transition of Hamas and the birth of the political party Change and Reform was not a surprise. It was a result of a natural evolution of the movement in terms of ideology, programme and policies. Hamas's decision to participate in the legislative election was born out of its responsibility to the people in their struggle for Palestine; born out of its duty to reform Palestinian reality, thereby protecting them from corruption; and, born out of its duty to consolidate national unity.<sup>34</sup> Participation, therefore, comes from its programme to liberate Palestine and to create an independent and sovereign Palestinian state. Before examining why Hamas was able to make the successful transition, it is necessary to first examine the policies set forth in the legislative election programme.

#### *The Political Programme of Change and Reform*

The ideology, programme and policies set forth by the movement over the years provided the foundation for that of the political party Change and Reform. The political ideology of Change and Reform is derived from the eight principles set forth in the election programme.<sup>35</sup>

1. In all aspects of life, the true religion of Islam and its civilization are the reference point upon which all else is derived.
2. Historical Palestine is a part of the Arab and Islamic lands.
3. The Palestinian people are one unit and part of the Arab and Islamic nation.
4. The Palestinian people are still living a stage of national liberation and have the right to work for regaining their rights and ending the occupation by all

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<sup>34</sup> Derived from the legislative programme for Change and Reform, which the author obtained in Palestine in summer 2007.

<sup>35</sup> *Id.*



available means.

5. All Palestinians have the right to return to their home and the right of self-determination.
6. The Palestinian people have a fixed and original right to a sovereign state with Jerusalem as a capital and all the natural resources therein contained.
7. Support and protection of national unity is one of the main priorities.
8. Finally, the issue of prisoners and detainees is at the head of the priorities in obtaining the aforementioned.

It is from these principles that Change and Reform sets forth its domestic and foreign policies.

Change and Reform's domestic policy encompasses 19 priorities.<sup>36</sup> These priorities can be broken into those dealing with political governance, civil society and resistance. The principles of governance are derived from the right to and respect for a governance system defined by a developed civil society, multi-party participation, regular elections, and transparency. Of the 19, 10 deal with the issue of governance. These can be further broken down into three categories.

The first category deals specifically with governance and encompasses five principles. The first two principles deal with the preservation of Palestinian national principles and their right to Jerusalem. The next principle of this category deals specifically with the governance system. It posits that political freedoms, multiplicity, freedom to form parties, elections and peaceful alternation of authority are to be the foundation. Therefore, reform, elimination of corruption, and establishing a developed Palestinian community are the priority. To do so, according to the next principle, all public funds are to be used for Palestinians, regardless of religion and political affiliation, and development of society. Finally, the last principle affirms the goal of caring for the injured, prisoners and martyrs, who are all symbols of Palestinian sacrifice.

The second category of the principles of governance encompasses dialogue and unity. Under this category there are three principles. The first posits that the foundation of unity is through dialogue and prohibiting internecine violence. The second posits that shedding of Palestinian blood should be prohibited inside Palestinian society and reaffirms that dialogue is the only accepted way to solve domestic disputes. Finally, the third principle posits that repairing the relations between the PLO and the PNC (Palestinian National Council) serves national goals.

The last category of the principles of governance encompasses security, which also go hand-in-hand with the second category. There are only three principles regarding security. They include: rectifying and guiding the role played by security agencies in protecting citizens and their property from politically motivated and abusive practices by security services under Fatah leadership; the implementation of a grievance system to prevent such abuses, which is to be audited by the legislative

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<sup>36</sup> *Supra* note 34.

council; and prohibiting security cooperation or the so-called 'security coordination' with the occupation forces.<sup>37</sup>

Change and Reform sees the development and protection of civil society as necessary to ensure a democratic governance system. In fact, 6 of the 19 principles deal with civil society. The priorities in this regard include:

- strengthening respect for public freedoms such as assembly, speech, media, transportation and work;
- the protection of civil society's institutions and activation of their role in development and censorship;
- providing guarantees for minorities' rights and showing respect to such rights at all levels;
- the prohibition of political detention;
- reforming entitlements to society so that all are entitled to receive them irrespective of political or religious affiliation; and, finally,
- raising Palestinians who are proud of their faith, land, freedom and dignity.

As long as occupation continues to exist and until the establishment of a sovereign Palestinian state, all Palestinian movements and political parties will have a resistance policy. A policy of resistance should not only be considered one of violent resistance. Some groups and parties use only non-violent resistance, while the majority use a combination. For Change and Reform, as long as Palestinians are living a stage of national liberation, they have the right to work for regaining their rights as well as ending the occupation by all available means, including armed resistance. Therefore, three of the 19 principles encompassing its domestic policy deal with resistance. These principles include: protecting resistance and activating its role in fighting occupation for the purpose of obtaining liberation; activating resistance against the apartheid wall, which includes the adoption of all domestic and international means to remove its presence; and, finally, increasing the performance of the institutions that support prisoners, families of martyrs and the injured. As this demonstrates, Change and Reform is articulating a policy that combines non-violent and violent resistance, but prefacing the former over the latter.

In addition to the 19 principles set forth in Change and Reform's domestic policy on governance, civil society, and resistance, it also sets forth additional well-defined domestic policies. These include policies on administrative reform and combating corruption; legislative policy and reform; public freedoms and citizenship rights; educational and pedagogical policy; social policy including women, children and family issues; cultural and media policy; housing policy; health and environmental policy; agricultural policy; economic, financial and monetary policy; labour and employment issues; transportation and check-points policy; and, finally, religious policy. In all of these areas, Change and Reform articulated well-developed principles to guide policy development and implementation in these areas.

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37 What Hamas is referring to here is that, prior to IDF engaging in nightly incursions, the security services of a particular area are notified. During the author's stay in Nablus in summer 2007 such nightly incursions took place.

Change and Reform also has a well-developed foreign policy that is governed by 10 guiding principles of foreign relations:

1. First and foremost, the strengthening of relations with the Arab and Islamic world in all fields, but remaining open to the establishment of relations with other countries.
2. The activation of the role played by Arab and Islamic masses to support the resistance against occupation.
3. The refusal to allow sectarian, regional or ethical aims to divide the *ummah*.
4. The establishment of balanced political relations with the international community, but still preserving national unity, sovereignty and development.
5. The emphasis on participation at all fora to lobby against occupation.
6. The consideration of occupation as a form of terrorism.
7. The call on all peoples and charitable persons to form an alliance to establish a just and universal peace that is based on ridding society of all forms of occupation, colonization and foreign intervention in domestic affairs.
8. The rehabilitation of Palestinian rights, especially the right of liberation, repatriation, and the establishment of a sovereign Palestinian.
9. The call on the international community to participate in social and economic development of Palestine.
10. Finally, the refusal of conditional donations for development and working to find honourable alternatives.

As the aforementioned demonstrates, Hamas's Change and Reform has a well-defined political programme. The political programme encompassed specific domestic and foreign policies. Within each of these policies, they set forth guiding principles for policy development and implementation. The development of well-defined programmes and policies is not sufficient in itself to enable transition. Rather, it is a combination of political ideology and programme, organization and leadership structure, and policies that make transition possible.

### **A Successful Transition, but will it Succeed?**

The transition under investigation in this book is the transition of resistance movement to political party. That is, it is concerned with those who have made the successful transition or those who are in the process thereof; those who made the transition and failed; those who have the potential to make the transition; and, finally, those who are never capable of making the transition. Hamas is among those who have made the successful transition. It was successful because it possessed a political ideology, a well-defined political programme,<sup>38</sup> had a well-defined organization

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<sup>38</sup> Political ideology is an important characteristic needed for transition because it provides unity internally and externally. It determines how a group views the world – internationally and regionally – and its relations thereto, as well as how to behave therein.

and leadership structure,<sup>39</sup> and possessed both domestic and foreign policies.<sup>40</sup> The question begging, however, is whether it will follow the path of the Islamic Salvation Front. Will Change and Reform fail as a political party?

Many resistance groups have failed once in making the transition to a political party because they lacked recognition by the government despite having it from the masses. The issue of internal recognition is bifurcated. A group can make the successful transition by having internal recognition by the masses but maintenance of that recognition is further dependent on the government's recognition. The Islamic Salvation Front is demonstrative of this theoretical premise. FIS failed as a political party because it lacked external recognition and internal recognition by the government. While it is unlikely to fail, Change and Reform is threatened with the very same problem.

When Change and Reform won the 2006 election, the government led by Fatah's Mahmoud Abbas recognized the results and agreed to work with a national unity government. It was the Quartet – led by the policy position of the US – that hindered international recognition. Interestingly, the entire international community recognized the results of the election but refused to work with Hamas's Change and Reform unless it accepted certain conditions. Namely, the international community demanded that Hamas (not Change and Reform) recognize Israel, renounce terrorism, and accept previously signed peace agreements in order for them to work with a government led by Change and Reform.

According to Haniyya, recognition of Israel is moot because the solution is a sovereign Palestinian state encompassing the West Bank and Gaza, with its capital in East Jerusalem. 'The reality is that Israel exists and is a state recognized by many', which, according to Haniyya, means that any Palestinian government must deal with them; even one led by Change and Reform. Furthering this, Riad Mustafa, a Hamas parliamentarian, said

... [r]ecognition is an act conferred by states, not movements or governments, and Palestine is not a state. Nevertheless, the government's program calls for an end to occupation, not the destruction of Israel, and Hamas has proposed ending the occupation and [implementing] a long-term truce to bring peace to this region ... The government has also recognized President Abbas' right to conduct political negotiations with Israel. If he were to produce a peace agreement, and if this agreement was endorsed by our national institutions and a popular referendum, then – even if it includes Palestinian recognition of Israel – we would of course accept their verdict. Because respecting the will of the people and their democratic choice is also one of our principles.<sup>41</sup>

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39 Organizational structure and leadership are extremely important characteristics. This is because an organization must have the capacity to expand and grow, yet still maintain order to prevent fragmentation. Fragmentation often results during power struggles between members of an organization or lack of consensus regarding the goals and objectives.

40 The development of policies, both domestic and foreign, enables a group to maintain its legitimacy within the environment in which it is operating. Furthermore, social and economic programmes are extremely important, more so than political, because they further legitimize an actor within the community-at-large.

41 Crisis Group, *supra* note 19.

Recognition of the election results is *de facto* recognition of Change and Reform as a political party; it is recognition of Hamas's transition. The problem, however, is that the refusal to work with a government led by Change and Reform hinders the ability of it to govern, which thus limits external recognition and threatens failure. It threatens failure merely because of the imposition of international economic sanctions. Failure being threatened as a result of the boycott suggests that if a country is economically viable, then external recognition would be less of a threat. In the case of Hamas's Change and Reform, if Palestine were economically viable, then there would be no threat of failure. The Quartet said if Hamas accepted its conditions and if it signed an agreement to that effect, then sanctions would be removed.<sup>42</sup> Hamas, however, did accept the Prisoners' Initiative and signed the Mecca Accord.

The Prisoners' Initiative,<sup>43</sup> signed by influential members of each of the Palestinian resistance movements and later accepted by Haniyya,<sup>44</sup> included a commitment to the establishment of an independent state on all the territories occupied in 1967; also the right of return for refugees and the right to resistance. It confirms the PLO as the sole legitimate representative of the Palestinian people in negotiations with Israel; the formation of a coalition government; rejection of internecine violence; and respect for regular democratic elections. The Mecca Accord, which Hamas signed, does not specifically embrace the three Quartet conditions. Instead, the Accord posits that the new government will respect past Israeli–Palestinian accords; will impose a mutual ceasefire; will deal with Israel on day-to-day matters; will accept negotiations with Israel conducted by Abbas on behalf of all Palestinians; and that, if a permanent agreement was reached and put to a popular referendum, it would pledge and honour the results.<sup>45</sup> Despite the aforementioned, the international community and Israel continued with its refusal to remove economic sanctions and to work directly with Change and Reform. Interestingly, before the Gaza take-over, indirect dealings with the government were being undertaken and some economic aid began to flow into Palestine.

The economic sanctions on Palestinians were to remain in place so long as the government was led by Change and Reform and Hamas failed to explicitly accept the Quartet's conditions. It was thought by the international community, as well as certain factions within Fatah, that the imposition of economic sanctions would result in either Hamas accepting the demands or the people demanding their removal from office. Neither of these objectives was achieved. The Palestinian people saw this as just another example of America's hypocrisy and her attempt to thwart democracy. In fact, the overwhelming majority said if they could go back in time and vote again, the results would be the same – Change and Reform would still be a member of the Legislative council.<sup>46</sup> This suggests that internal recognition has more of an impact

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42 Crisis Group, *supra* note 13.

43 Crisis Group, *supra* note 19. Excerpt from the Initiative can be found in the Appendix of the report.

44 Crisis Group, *supra* note 13.

45 *Id.*

46 The author's interviews with Palestinians in summer 2007.

on making the transition, whereas external recognition affects the maintenance of transition if a state is not economically viable.

The aforementioned, however, was rendered temporarily moot due to Hamas's Gaza take-over on 14 June 2007. The take-over is directly a product of the economic boycott; lack of engagement with the government; the imposition of non-negotiable conditions; and the tacit approval of the US and Israel of the continuation of armed attacks against Hamas leaders and members by particular Fatah factions. The successful take-over should have demonstrated Fatah's weakness to the international community. As a whole, Fatah is unable to effectively govern due to rampant corruption, disorganization and fragmentation among the factions that comprise the movement.<sup>47</sup> Despite this, the international community promised Abbas that economic aid would be released if he formed a new government in the West Bank without Change and Reform. By presidential decrees, Abbas not only installed a new government without parliamentary approval, but he appropriated legislative powers and transferred many to the PLO.<sup>48</sup>

Ultimately, the Gaza take-over was inevitable and necessary. The Fatah faction headed by Dahlan, and those closely affiliated therewith, would not have stopped their armed attacks, which would have continued to prevent Change and Reform from governing. It is also for this reason that the take-over was necessary. By taking control of Gaza, even if it was unintended, Hamas's Change and Reform led by Haniyya could demonstrate its ability to govern. In fact, since the take-over, order has been restored and a sense of normalcy has returned to the lives of Palestinians living there.<sup>49</sup> Hamas has given priority to internal reform, internal security and improving the economic situation. The future of Hamas's Change and Reform maintaining its control over Gaza is largely dependent on the international community; that is, whether the international community is willing to tacitly support an armed invasion by Israel, in conjunction with some Fatah factions, to militarily remove Hamas from power. If this occurred, their removal would not be a result of a loss of internal recognition by the masses.

Actions taken by both Hamas and Fatah resulted in public anger. Palestinians were angry over the disunity the take-over caused and by Abbas's (and by extension Fatah's) dictatorial reaction.<sup>50</sup> They have accepted Haniyya's explanation that 'a pre-emptive strike [was launched] to disrupt the PSF [Palestinian Security Forces] and intelligence agencies because [of] information [that] they were planning to do something after the *tawjii* examinations'.<sup>51</sup> Moreover, Hamas leaders were quick to come forward to explain that the planned offensive was not taken with the intent to take control of Gaza. It was done to halt the internecine violence that was instigated and fuelled by a certain Fatah faction, which was supported internationally. The take-over was the only way that reform of the security services would be undertaken.

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47 *Supra* note 46.

48 Crisis Group (2007), 'After Gaza,' *Crisis Group Middle East Report*, 68, 1–41.

49 The author's interview with Gaza resident.

50 Crisis Group, *supra* note 47. Also confirmed through the author's interviews in summer 2007.

51 *Id.*

Despite the take-over, Hamas's internal recognition has not been damaged beyond repair. In fact, both Palestinians and Hamas have called for dialogue and the reconstitution of the national unity government, which Abbas continues to reject. Only time will tell whether the West Bank and Gaza can be reunified and a national unity government reconstituted.

In conclusion, this chapter has sought to examine the successful transition of the Islamic Resistance Movement (Hamas) to a political party. The examination of successful transitions enables the identification of characteristics that are similar among resistance movements, which help to identify other resistance movements that have the potential. Hamas, through Change and Reform, made the successful transition. In order to determine those characteristics that were successful, its origins, organization and leadership structure, political ideology and programme, and policies were examined.

Hamas, born out of an organization that emphasized Islamization from the bottom upwards and renounced violence as a means for addressing the Palestinian question, was created to represent the new Islamic *ummah* and the Muslim generation that carried the banner of Islam against occupation. It was created among discontented masses that were calling for resistance. Listening to the masses, which it prides itself on since its inception, Hamas took up resistance but maintained its political infrastructure.

The political infrastructure – political ideology and programme, organization and leadership structure, and both domestic and foreign policies – is what made the transition from a resistance movement to a political party successful. Hamas's political ideology is characterized as both universalistic and particularistic. Political ideology is an important characteristic needed for transition because it provides unity internally and externally. It determines how a group views the world – internationally and regionally – and its relations thereto, as well as how to therein behave.

Hamas' organization is Islamically decentralized but democratically centralized and headed by a collective leadership that has both independent and interdependent decision-making and implementation capacity. Organization and leadership structure are extremely important characteristics. This is because an organization must have the capacity to expand and grow, yet still maintain order to prevent fragmentation. Fragmentation often results during power struggles between members of an organization or because of lack of consensus regarding the goals and objectives.

Finally, both Hamas's political programme and policies (domestic and foreign) are evolutionary in nature. They are broad enough to expand and change over time without causing ideological fragmentation, but specific enough to provide guidance and prevent disorganization. The development of policies, both domestic and foreign, enables a group to maintain their legitimacy within the environment in which they are operating. Furthermore, social and economic programmes are extremely important, more so than political ones, because they further legitimize an actor within the community-at-large. For all of the aforementioned reasons, Hamas made the successful transition and is unlikely to follow in the fate of the Islamic Salvation Front. However, this is largely dependent on the military power of certain foreign governments and their tacit support of a military invasion from the outside.

## Chapter 6

# The Islamic Jihad Movement in Palestine: a Wild Card in Palestinian Politics?

Rachael M. Rudolph

Election of Hamas in 2006 raised the question as to whether other Islamist resistance movements in Palestine have the potential to make the transition. While members of resistance groups such as the Islamic Jihad Movement in Palestine (PIJ) have participated in elections for student and professional organizations for more than a decade, the process under investigation is the transition of the organization itself to a political party. There is reason to believe the future is promising for the PIJ. To examine their potential, this chapter will examine the origins and emergence of the organization and the development of its political ideology, programme and policies.

Prior to examining their emergence, methods used for making inferences must be articulated. All data for analysis were derived from primary and secondary sources. Primary sources were documents such as speeches, communiqués, articles, videos, etc., from the movement. Information was also obtained and/or verified, where indicated, through interviews conducted while in Palestine. Secondary sources were used only wherein leaders and/or members of the movement were quoted directly. It was felt this method best ensured that the position of the movement could be accurately captured.

### **Origins and Emergence of the PIJ**

Like other Islamist groups in Palestine, the PIJ originated from the Muslim Brotherhood Society in the West Bank and Gaza, who originated from the Muslim Brotherhood Society of Egypt.<sup>1</sup> While the Brotherhood was one of the first societies that adopted, fought and moved public opinion toward the Palestine question, their lack of satisfactory response sparked a search for alternatives. Alternatives could not be found in the secularist or nationalist trends because they rejected Islam as the guiding principle. The Islamic alternative provided by the Muslim Brotherhood Society in Palestine was not sufficient. It emphasized Islamization from the bottom

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1 Legrin, Jean-Francis, 'The Islamic Movement and the Intifada', Ch. 11 in J. Nassar and Roger Heacock (eds) (1990), *Intifada: Palestine at the Crossroads* (online book) (New York: Praeger), accessed 23 May 2007. Available from *Questia*, at <<http://www.questia.com/PM.qst?a=o&d=26088030>>.



upwards and renounced violence for addressing the Palestinian question.<sup>2</sup> Hesitation among brothers of the Muslim Brotherhood in Palestine resulted in the creation of the Islamic Jihad Movement in Palestine.<sup>3</sup>

Rejecting secularist and nationalist trends, and disillusioned with the Muslim Brotherhood Society in Palestine, *al-Jihad al-Islami fi Filastin* came into existence in 1980.<sup>4</sup> It was founded by Fathi Shaqaqi and ‘Abd al-Aziz ‘Auda, the former being an important thinker and the latter being its spiritual leader. Among them, other prominent figures at inception included: Jabr ‘Ammar, who was a former officer in the Palestine Liberation Forces (PLF) of the Palestine Liberation Army (PLA); Ahmad Mahanna, who was a former officer of the PLF; Muhammad al-Jama’l, who was a former PLF officer; Ramadan Shallah, who was a former secularist and the current leader of the movement; Suleiman ‘Auda; Fayez Abu-Mu‘ammar; Nafidh Azzam; and Fayez al-Aswad.<sup>5</sup> The majority of its members and followers hail from Gaza, but there is a presence in the West Bank. Members and followers alike are united by the idea of an Islamic revolution to liberate and create a Palestinian state with full sovereignty. It is for this that the movement was founded and organized.

## Organization

According to the current Secretary-General of the PIJ, Dr Ramadan Abdallah Shallah, the entry of the Palestinian Liberation Organization (PLO) into the political arena resulted in its slow dissipation and failure.<sup>6</sup> The PLO was weakened by its rejection of maintaining violent resistance. For this reason, the duty of Islamic movement was to build a ‘warrior organization’ that absorbs the energies and capabilities of the people and provides a means to join the *mujahidin*, to perform *jihad* (struggle) for the goal of liberation.<sup>7</sup> The first step, according to Dr Shallah, was the advancement of leadership.

The leadership project was characterized by jihadist specification – piety, impartiality, honesty, awareness, wisdom, courage, firmness and decision-making – to ensure fighters absorb the energies of the people and were regulated by investment of fighting.<sup>8</sup> The second step was identification and setting of objectives within the current context, taking into consideration possibilities and limitations. In order to understand this more clearly, the organizational and leadership structure will be examined and, then, the policies pursued by the movement.<sup>9</sup>

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2 Saleh, Mohsen (2006), ‘Hassan al-Banna’s Centenary ... Attitude towards Palestinian Cause’, *Ikhwanweb Cairo*, at <<http://www.ikhwanweb.com/>>, accessed 25 May 2007.

3 Abu-Amr, Z. (1994), *Islamic Fundamentalism in the West Bank and Gaza* (Bloomington: Indiana University Press).

4 *Id.*

5 Abu-Amr, *supra* note 3.

6 Information contained in this section is derived from the author’s translation of ‘Speeches, Papers, and Interviews’ by Dr Shallah located at <[www.rabdullah.net](http://www.rabdullah.net)>.

7 *Id.*

8 *Supra* note 6.

9 *Supra* note 6.

Organizational and leadership structure were identified by whether they dealt specifically with the internal structure or operation of the PIJ. If they did, then they were coded as organizational. Organizational type – centralization, decentralization or quasi-decentralization – was coded as centralized if decision-making was limited to the executive body and did not include consultation with lower-level members or the masses; it was coded as decentralized if decision-making included consultation with lower-level members and the masses; and, it was coded as quasi-decentralized if elements of both centralization and decentralization were present.

From its inception the PIJ was a tight-knit entity comprised of small cells, but over the years its membership and organizational structure have expanded.<sup>10</sup> The latter is particularly important because it is in part why the movement has survived and remained intact over the years. Organizationally, prior to 1983, the PIJ could be considered a single entity or organization. After that date, ‘movement’ is the appropriate designation for what occurred organizationally.

Similarly to Hamas and other Islamic resistance movements, the PIJ has a quasi-decentralized organizational and leadership structure. It became an umbrella for various factions with independent decision-making capabilities, yet interdependent in terms of cohesion, cooperation, and unity.<sup>11</sup> As of 1991 data, six factions can be identified. They are: the main or core organization, which is Islamic Jihad Movement in Palestine established by Sheikh ‘Audah and Fathi Shaqaqi; Islamic Jihad-Beyt al-Maqdis formed under Sheikh As’ad Bayyud Tamimi; Islamic Jihad-Al-Aqsa Battalions under Ibrahim Sarbal in Syria; Islamic Jihad under Ahmad Mohana in Syria; Islamic Jihad Squads under Mu’ein Taher and Jihad Amara in Iraq; and, Islamic Jihad under Jaber Amar in Sudan.<sup>12</sup> Additional sub-factions have also emerged.

Under the core, the Islamic Jihad Movement in Palestine, there are the Saraya Brigades of Islamic Jihad, the military wing of the movement. Within the military wing, there are additional units such as Qassam Mujahidin Forces and Martyr Hani Abid Group of the Mujahid Islamic Forces-Qassam, to name just two. There are additional units operating under the military wing within Gaza and the West Bank. Then, there are the al-Aqsa Brigades under Fayez al-Aswad, which may have links to Islamic Jihad – Al-Aqsa Battalions. Finally, there was the Islamic Jihad Movement in Palestine, Jerusalem.<sup>13</sup> Due to the secrecy of the network, it is hard to define at this point in time the actual factions and sub-factions other than from when they issue statements. Nevertheless, all of these factions are held together by the Majlis al-Shura, the consultative council of the core – the Islamic Jihad Movement in Palestine, headed by the Secretary-General (Fathi Shaqaqi until October 1995 and then Ramadan Abdullallah Shalah thereafter), which is an elected position.<sup>14</sup>

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10 Abu-Amr, *supra* note 3.

11 Interview with a member in Palestine, summer 2007.

12 The leaders listed for each faction were determined by using public statements as of 1991.

13 Data derived from public statements through Lexis-Nexus from 1985 to the present.

14 Fathi Shaqaqi was assassinated by Mossad in Malta on 26 October 1995. He was born in 1951 in the Rafah camp in the Gaza Strip and studied medicine in Egypt. He returned to

The development of a political infrastructure was difficult due to the expulsion, arrests, detentions and assassinations of many of its leaders. Leaders in Palestine, according to Dr Shallah, are authorized to make decisions appropriate to the conditions therein within the framework of the movement's principled and firm stance rejecting Oslo and affirming the legitimate right to resist occupation.<sup>15</sup> While there are various prominent leaders of the movement inside Palestine, three in particular are Muhammad al-Hindi, Nafidh Azzam and Shaykh al-Shami.<sup>16</sup> Outside of Palestine, there are other prominent leaders who serve as representatives of the movement in foreign countries. For example, Ziad Nakhlah (Abu Tarek) serves as the representative to Lebanon; he also was the representative of the movement attending the Cairo Dialogue in 2003.<sup>17</sup> Abu Imad al-Rifa'i is another representative in Lebanon.<sup>18</sup> There are also representatives in Syria and Iran.

It should not be inferred the presence of representatives in other countries implies the movement is international or that these states are supporting violent activity in Palestine. Their presence is more a function of the movement's foreign policy. The function of a representative is comparable to the role of an ambassador which are sent by a state to a foreign country. These representatives attend functions, lobby their cause, and brief governments and media on the conditions in Palestine. Development of foreign policies and a network in which to implement them are extremely important characteristics that ensure survival and aid in transition.

The organizational structure of the PIJ is complex, but there are three main bodies. They are the political bureau, the information bureau and the military wing.<sup>19</sup> The first and second do not interfere in the operations of the third. The function of the military and its relationship to the political and media bureaus will be discussed in the movement's policy of resistance. All of these, however, are held together by a strategic plan.

The strategic plan, which conforms to the policy of the history of the struggle between the Palestinian nation and the Arab-Zionist project, is to confront the enemy ideologically, politically, militarily, and with all means available. This plan will continue until the movement obtains its objectives of independence and unity. From organization and mobilization, the establishment of some form of political system can be obtained.<sup>20</sup> It is only after occupation that the movement can take on a more official role in governing. Rejection of official participation prior to the

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Gaza in 1981, was arrested in 1983, released in 1984, re-arrested in 1986, and finally exiled to Lebanon in 1988. Dr Ramadan Abdullah Shalah was one of the original leading figures in the formation of the movement. In 1983, he left Gaza after teaching for three years at the Islamic University to continue his higher education in London. After obtaining his doctorate he taught at Columbia University in the US until 1994.

15 'Islamic Jihad leader comments on Palestinian dialogue', interview with Dr Ramadan Shallah on Radio Monte Carlo, BBC, 22 August 1997.

16 *Id.*

17 *Supra* note 15.

18 *Id.*

19 Abu-Amr, *supra* note 3.

20 'Islamic Jihad Movement Condemns PNC's Acceptance of UN Resolution 242', *BBC*, 18 November 1988.

establishment of a state with full sovereignty can be understood through examining the PIJ's ideology.

### Ideological Influences and Development of Ideology

At its inception, the domestic situation was ripe for ideological and intellectual differentiation. Internationally, it was aided by the success of Ayatollah Khomeini in the Iranian Revolution.<sup>21</sup> Ayatollah Khomeini demonstrated that Islam, as an authoritative frame of reference, could be implemented through revolution. More importantly, he demonstrated that revolutionary struggle was the only means capable of obtaining political ends.<sup>22</sup> This was reified by Lebanon and Hezbollah's defeat of Israel. Thus, a revolutionary ideology was needed; one different from the status quo.

Influences on the ideological development of the Islamic Jihad Movement in Palestine can be found in Hassan al-Banna, Sayyid Qutb, Mawlana Sayyid Abul A'la Mawdudi and 'Izz-al-Din al-Qassam. Hassan al-Banna founded the Muslim Brotherhood in Egypt in 1928. Al-Banna's achievement in creation of the Brotherhood is threefold.<sup>23</sup> He was responsible for the building of the Egyptian Brotherhood's organizational structure; providing the substance of its call, goals and means, and ensuring its implementation; and for providing guidance and leadership. From him, the movement derived the importance of revival, organization and upbringing in the revitalization of the Islamic call in Palestine.

Sayyid Qutb, who was a member of the Egyptian Muslim Brotherhood, occupied a special place in the formation of the PIJ's ideology. For them, they are Qutb's vanguard. Qutb diverged from the traditional Brotherhood trend because he advocated opposition to and non-cooperation with the existing order by means of revolution, when the time was right.<sup>24</sup> According to Qutb, the members of the vanguard must know the landmarks on the road toward their goal; be aware of their position in relation to others; know when to cooperate and separate; know the characteristics and qualities they should cultivate; and know how to address the people.

Violence or combative jihad can only be a means of last resort, however. The reason, Qutb explains, is that the Prophet (PBUH) was not given permission to fight until late in his life, which is referred to as the Medina phase. The vanguard must first use methods of preaching and persuasion for reforming ideas and beliefs; it is only afterward that violence can be used to abolish organizations and authorities of the *jahili* system. It was Mawdudi who defined combative jihad as revolutionary struggle and utmost exertion.

For Mawdudi, Islam was to be viewed as a revolutionary ideology seeking to change the social order of the entire Muslim world and rebuild it in conformity with its own tenets and ideas. He rejected the Arabic word for war, *harb*, for *jihad*. This

21 Abu-Amr, *supra* note 3.

22 Abu-Amr, *supra* note 3.

23 Saleh, *supra* note 2.

24 Qutb, S. (1964), *Ma'alim fi al-Tariq [Milestones]*. For an English translation online, see: <[http://www.youngmuslims.ca/online\\_library/books/milestones/](http://www.youngmuslims.ca/online_library/books/milestones/)>.

is done so that ideas may be clearly distinguished. ‘War’ is used to refer to struggle between states waged for the achievement of individual or national interests and to serve individual or collective purposes. Furthermore, war between states is devoid of the principles of humanity. It is not a struggle for the betterment of humanity whereas the sole interest of Islam is the welfare of mankind. Therefore, according to Mawdudi, the Qur’anic term ‘jihad’ is most appropriate.<sup>25</sup>

Jihad, then, is waged to establish the revolutionary programme. The programme for Mawdudi entailed setting up an Islamic state. This can be performed through speech, word and the power of the sword. The latter is defined by means of wealth and physical exertion. Engaging in jihad in either of the forms does not entail the forcible conversion of people to the faith, as the phrase ‘struggle in the name of Allah’ has a wider meaning. It means any act and deed done for the collective well-being of mankind, by a person who has no vested interest in this world but seeks only to earn the pleasure and favour of Allah. A deed cannot be undertaken for personal gain. It must be done with perfect sincerity. Moreover, the one and only goal is the establishment of a just and equitable social order among human beings.

While Hassan al-Banna, Sayyid Qutb and Mawlana Sayyid Abul A’la Mawdudi provided intellectual influences on the development of the movement’s ideology, Sheikh ‘Izz-al-Din al-Qassam provides a different sort of influence. He symbolizes belief, consciousness and revolution. It is the actions of this man, therefore, that provides ideological influence. Al-Qassam is viewed as the first leader of Palestinian armed resistance in the history of modern Palestine. He combined the call for war in the name of jihad for the sake of God with the call for war in the name of jihad for the sake of the country. Al-Qassam believed that while Arabs and Muslims from other countries were strategic assets, the Palestinian people and their revolution could not depend on anyone but themselves. Fighting in the name of jihad cannot wait for the entire *ummah* (Muslim community) or other Arab states to take up the cause. It must be initiated by the people, the Palestinian people, themselves. It is this task which PIJ seeks to implement.

Al-Banna, Qutb, Mawdudi, Al-Qassam and Ayatollah Khomeini, as well as the martyrs who have fallen in the battle for Palestine over the years, will continue to serve as ideological influences on the movement, its members and its followers. These influences will become more evident in the following examination of the movement’s political ideology. Specifically, we shall examine how the movement views the world – both the international and the regional orders; how it views the situation in Palestine and the Palestinian question; how it views resistance; and, finally, how it views itself in relation to the aforementioned. The combination of these views represents a picture of the group’s political ideology. To make inferences regarding Islamic jihad’s view, the lectures, speeches, and articles from 1999 to 2007 of Dr Ramadan Shallah were utilized.<sup>26</sup>

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25 Al-Mawdudi, Sayyid Abul Ala, *Jihad fi Sabilillah [Jihad in Islam]*, (UKIM Dawah Centre).

26 All the documents are in Arabic and can be found at <[www.falestiny.net](http://www.falestiny.net)>. Analysis based on the author’s translations.

## A Representation of Political Ideology

To understand the actions and policy positions of the PIJ, an understanding of its world view is essential. Its world view encompasses a vision of the international order, regional order, and its relationship thereto. The international system has traditionally been defined as anarchic due to its lack of a centralized system of governance. While the system is anarchic, behaviour of member states is governed by a set of rules and norms, a logic. These rules and norms are often defined and constituted through interaction among member states. This, however, does not mean that some states do not enjoy more influence than others. In fact, certain states do enjoy more influence or power. This power, since the birth of the Westphalia system in 1648, has been characterized as either multi-polar, bipolar or unipolar, with the latter defining the balance of power since the collapse of the former Soviet Union in 1991.

It is from here that Dr Shallah begins his definition of the international system.<sup>27</sup> According to Dr Shallah, the international system is no longer unipolar in the literal sense of the word. A unipolar system is one in which a particular state enjoys the greatest amount of influence over others in terms of cultural, economic, political and social. Since 1991, the US is said to have enjoyed this position. While the US has enjoyed a tremendous amount of influence, Dr Shallah argues that such a characterization of today's world is too simplistic. The system instead should be characterized as a hybrid between unilateralism and multilateralism. Both unilateralism and multilateralism describe how actors behave and often characterize their approach to policy-making in the international system. Unilateralism, in general, describes a system wherein actors behave self-interestedly and without the cooperation of others. In such a system, an actor's decision is made to act irrespective of whether other actors in the system agree with the decision. Multilateralism, on the other hand, describes a system wherein actors behave self-interestedly, but in cooperation with others. The distinction between the two approaches lies in cooperation. In a multilateral world, cooperation is pivotal and self-interest is defined by the collective interest. It is a hybrid of unilateralism and multilateralism that characterizes the international system, according to Dr Shallah.

This hybrid system, he argues, is comprised of three complex levels.<sup>28</sup> The first level is comprised of the US as a superpower. The second level includes strong states such as France, Germany, Russia, China, India, Iran, Brazil, South Africa and Nigeria. The third level is comprised of secondary countries such as the UK in the face of France and Germany; Ukraine in the face of Russia; Japan in the face of China; Pakistan in the face of India; Saudi Arabia in the face of Iran; and Argentina in the face of Brazil. Therefore, the international system and balance of power are not stagnant. Instead, they are subject to change due to multilateralism. Thus, cooperation and unity are the keys for change and success.

The question then, according to Dr Shallah, is where the Arab and Islamic nation are positioned in the overarching order.<sup>29</sup> The problem in the Arab world, he argues,

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27 *Supra* note 26.

28 *Supra* note 26.

29 *Id.*

is its lack of unity among states and people living in the Diaspora. He questions how it is possible for members of the Jewish Diaspora to unite and pave way for a single entity, but yet the Arab Diaspora is unable to achieve this goal. Therefore, the regional order within the Arab world must be premised on unity, providing a united front. Unity is important to the Islamic project.

Many differences, according to Dr Shallah, exist between groups within the Islamic project.<sup>30</sup> The common denominator allowing the term ‘the Islamic project’ to be applicable is belief in the return of the leadership role of Islam in contemporary life. Within the Islamic project, groups are further united through: the goal to liberate land from colonialism and foreign occupation for independence; and the liberation from dictatorship to achieve freedom, Shura council and people’s participation expressed by the language of this era of democracy. Democracy, Dr Shallah argues, is not limited to Western civilization, as it entails notions of freedom, justice, and participation, which are all Qur’anic principles. Therefore, the future of the Arab world and Palestine lies in examining the past to learn from its successes and failures. While laws and norms of interaction can be derived therefrom, they must be examined in the context of the reality of today for successful implementation.

The Arab and Muslim world must develop a shared identity in the face of Westernization and cultural alienation. This may be achieved through a united front on the Palestinian question and the struggle for statehood. Palestine is the heart and for it to continue to beat, each part must function in conjunction with the others. Palestine, according to Dr Shallah, is not a conflict over land or wealth or strategic location, but a comprehensive conflict of civilizations’ prejudice over the nation’s existence and identity of its future. A Palestinian future – liberation from occupation – can only be realized through resistance, which is why the PIJ will remain a resistance organization. It will not forego the right to resist, the right to self-defence, until Israeli occupation is removed. The aforementioned political ideology is what influences the policies of the movement.

### **The Policies of the PIJ**

The movement is first and foremost a resistance organization. Therefore, its most important policy is that of resistance. All other domestic and foreign policies are derived from that. Prior to examining domestic and foreign policies, the PIJ’s policy of resistance is examined. The coding rules for identifying policies were similar to those used for Hamas, the FIS and the Philippine groups. Domestic policies were identified by whether they dealt with domestic relations. These relations were coded according to whether they were political, economic, social or cultural. Afterwards, they were coded a second time to determine the form of relations; that is, whether relations consisted of resistance, negotiation, cooperation or compromise. Foreign policies were identified by whether they dealt with external relations. These policies then followed the same coding rules for domestic policies.

*The Policy of Resistance*

Jihad, or 'strive' in Arabic, is defined as exertion of an individual's power to spread belief in Allah and the making of His word.<sup>31</sup> It is a method in which one engages in for the purpose of enjoining good and forbidding evil. The methods of enjoining good and forbidding evil are through the heart, tongue and hand. For Qutb and Mawdudi, performing jihad by the hand includes the use of violence. This is because they both defined it as revolutionary struggle and utmost exertion which is engaged in order to establish a just and equitable social order among human beings. The PIJ is guided by the idea of an Islamic revolution to liberate the land of Palestine, which can only be attained through jihad, defined in accordance with Qutb and Mawdudi.

War in the name of God, combined with the war in the name of God for the sake of the country, according to al-Qassam, is the guiding principle.<sup>32</sup> Jihad, according to Sheikh Tamimi, is the only way to achieve the liberation of Palestine.<sup>33</sup> It is a sacred right when performed for the sake of Palestine. It is a sacred right, according to Dr Shallah, because 'the enemy raided Muslim lands and raped her'.<sup>34</sup> Therefore, it is an individual obligation that cannot be disowned, regardless of the sacrifices offered and regardless of outside pressures. Any attempt to undermine this right opens the door wide to sedition.<sup>35</sup> Jihad is not measured by the material profits and losses but by their psychological influence in the heart of the enemy who must be deeply horrified by them. The operations are also measured by the remarkable presence in the jihad field and the arenas of sacrifice in order to perpetuate the armed struggle with the enemy.<sup>36</sup>

The method, therefore, for carrying out this sacred right and duty is through resistance. Resistance or armed struggle, according to Dr Shallah, 'is basically a legitimate right guaranteed by all divine and earthly laws for any people who are subjected to foreign invasion or occupation'.<sup>37</sup> It is an inadequate hypothesis that one cannot go to war because the balance of power between the resistance and Israelis is grossly disproportionate, as strength is not subjective. Despite Israeli military superiority, it cannot defeat the human element; it cannot develop or possess a weapon to confront a man who has made the decision to sacrifice his life for a cause.

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31 Al-Mawdudi, *supra* note 25.

32 Al-Hut, B. (1988), *Al-Sheikh al-Mujahid 'Izz al-Din al-Qassam Fi Tarikh Filastin [The Holy Warrior Sheikh 'Izz al-Din al-Qassam in the History of Palestine]*, (Acre: Dar al-Aswar).

33 BBC, 9 April 1990

34 *Supra* note 26.

35 'Islamic jihad demands immediate release of detained members', BBC, 8 September 1994.

36 'Islamic jihad movement leader on responsibility for Gaza explosions', interview with Dr Ramadan Shallah in the Jordanian weekly *Al-Majd* on 7 April 1997, BBC, 10 April 1997.

37 'Islamic jihad leader explains his call for "armed struggle" against Israel', interview with Dr Ramadan Shallah on Al Jazeera TV, BBC, 30 October 1999.



This is the path of 'dignity, honour, and freedom'.<sup>38</sup> Moreover, it is the only type of policy the enemy understands.

All military affairs, which include the planning of operations and targets, and weapon development and procurement, are the responsibility of the military wing Saraya al-Quds Brigades of the PIJ (the Al-Quds Brigades).<sup>39</sup> The military has full decision-making capacity in these areas. While it has been responsible for the development of policy on the ground, the military was completely separate until April of 1997.<sup>40</sup> The decision for complete separation was done out of the leadership's concern for the movement's credibility, as it was prevented from declaring anything before being completely sure about whether a particular operation was undertaken.<sup>41</sup> Afterward, the policy was such that the military wing would issue a statement claiming responsibility and explaining the symbolism of each action. These statements were then followed by a statement from the political wing. Having the military issue communiqués claiming responsibility for its actions prohibits the Israelis and others from falsely accusing the PIJ of carrying out actions that it in fact did not conduct. In some instances, when the media, Israelis and others falsely attributed attacks to the movement, the political leadership would issue an immediate disclaimer.

Resistance is the primary policy of the military wing. The political leadership, however, does guide policy direction.<sup>42</sup> It does so by setting the parameters for the military to follow. For example, prior to the escalation of violence, a statement by the political leadership would be issued warning Israel that if it did not halt its aggression, assassinations, demolitions and kidnappings, then the resistance would resume its operations. Moreover, it would similarly warn Israel that if it did not halt the aforementioned tactics against innocent civilians, then the movement could not maintain its policy of not targeting civilians.

Targeting of innocent civilians is prohibited. The PIJ does not normally attack civilians and continuously encourages its members to limit operations to only the military.<sup>43</sup> However, those living in settlements are not innocent. Nonetheless, priorities are maintained, which means the Israeli army first and foremost and then settlers.<sup>44</sup> It was not until the martyrdom of Fathi Shaqaqi that there was a change in policy toward the attacking of civilians. Martyrdom operations, then, could be carried out against Israeli civilians in Palestine. However, this policy change was in response to Israeli attacks against civilians.<sup>45</sup>

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38 'Al-Quds Radio commentary and statements by Islamic Jihad Movement', BBC, 16 November 1988.

39 *Supra* note 26.

40 *Supra* note 15.

41 'Islamic jihad movement leader on responsibility for Gaza explosions', interview with Dr Ramdan Shallah in the Jordanian weekly *Al-Majd* on 7 April 1997, BBC, 10 April 1997.

42 *Supra* note 15.

43 'Islamic jihad leader warns Israel to expect more attacks', BBC, 29 March 2006.

44 Dr Fathi Shaqaqi quotation in 'Intifada's gentile man war', BBC, 15 December 1992.

45 It should be noted that military operation of the Islamic Jihad Movement in Palestine are limited to targeting Israelis only. The movement rejects the use of force, threat and seizures

All operations undertaken by the military should be planned and done so in a way that the maximum amount of loss to the Israeli military is possible. Recognizing that Israel possesses sophisticated weaponry and its army is well trained, Palestinians are defenceless and their capabilities are limited, therefore martyrdom operations are what they do possess to repel the enemy. Human bombs cannot be defeated, not even by nuclear bombs. An individual life is nothing compared to the dignity of their people and nation. Martyrdom, according to Dr Shallah, is a far better way to repel the enemy.<sup>46</sup>

A policy of resistance will continue as long as occupation exists. Resistance itself will continue as long as Israel continues to undertake operations against Palestinians. Ultimately, however, the decision to end resistance belongs to that of the people and no one else, not particularly an individual.<sup>47</sup> This means that any suspension of military operations will only be out of the interest of the people. Nonetheless, the right to resume operations would be reserved if the enemy continued its policy of aggression. A policy of the right to resistance is not a policy of the right to terrorism.

Resistance and terrorism are not synonymous. In an announcement on Al-Quds Palestinian Arab Radio 1745, a PIJ spokesperson stated:

We are expressing our legitimate right to defend both a just cause and a defenceless people. By contrast, terrorism is what successive Zionist governments practice against our Palestinian people and the Lebanese people. This is the kind of action that deserves to be condemned by the international community and to be firmly confronted in solidarity with our people who love a free and decent life. Our people also love humanity, stemming from the principles of our true religion which seeks the welfare of the whole of mankind and which does not view others as gentiles. This is contrary to the views of the Zionists, who embody the worst kind of racism and ethnic arrogance.<sup>48</sup>

Israel has adopted a policy of assassinations and physical liquidation of the Palestinians that neither the UK nor the US condemn or talk about as acts of terrorism.<sup>49</sup> The Palestinian people have the right to self-defence in accordance with history, international law and divine law. Therefore, it is not terrorism but rather resistance out of self-defence. The movement posits that as long as occupation exists it will maintain its policy on this point, which requires a rejection of a policy of disarmament.

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of foreign nationals.

46 'Palestinian Islamic jihad leader criticizes summit results', interview with Dr Ramadan Sahllah by Muhammad Kurayshan of Al-Jazeera on 22 October 2000, BBC, 22 October 2000.

47 Excerpts from Al-Quds Palestinian Arab radio 1740 GMT, 5 May 1989, BBC, 8 May 1989.

48 Excerpt from radio broadcast in Arabic 1745 GMT, 6 November 1994, BBC, 8 November 1994.

49 'Palestinian Islamic jihad leaders dismisses British ban as "subservience" to USA', interview with Dr Ramadan Sahllah by al-Zubayr Nayil of Al-Jazeera, BBC, 1 March 2001.

*Disarmament*

Resistance weapons, which are used to defend the Palestinian people, are sacred. A policy of disarmament will aid no one but Israel. Israel will be able to continue with its policies of assassinations, killings, demolition of houses, and arbitrary arrests and detentions. Therefore, as long as occupation continues to exist, weapons will remain in the hands of resistance. It is unreasonable to expect them to lay down arms to engage in negotiations for the establishment of a Palestinian state whose borders, sovereignty and duties are not defined. Negotiations in the past with regard to a truce, ceasefire and then calm all collapsed because of Israel's failure to halt the aforementioned practices. The removal of resistance arms will merely aid Israel in these policies. Moreover, an exchange of armaments for a state is not conceivable when the 'this state does not have border crossings, sovereignty and army, and cannot strike agreements'.<sup>50</sup> This state would have only a security task. This, however, does not mean that disarmament is not possible in the future. According to the movement, after the establishment of an independent, sovereign Palestinian state, the issue will be discussed among Palestinians.

A policy of disarmament prior to the creation of an independent, sovereign Palestinian state will only result in internecine violence:

Touching the resistance weapons ... serves the Zionist enemy, calling on all Palestinian factions to safeguard their weapons ... Resistance and defending rights aim to deprive the enemy of the opportunity to create confusion and exploit it to foment sedition and create inter-Palestinian fighting, which the Islamic Jihad opposes in any form.<sup>51</sup>

Moreover, forcing the Palestinian National Authority to disarm resistance fighters is biased, as the policy only targets Hamas, PIJ and other resistance factions that oppose the Oslo and other accords signed with Israel, but does not threaten to disarm the PLO or Fatah. This is why the movement argues that such a policy will only result in internecine violence.

Therefore, what is needed is unity. The movement warns against entanglement in Palestinian conflict, disarmament and arrests as long as there is occupation. The Authority needs to deal with lawlessness and not disarmament of resistance. Along this line, the PIJ signed an agreement limiting use of arms. This agreement refers specifically to the use of arms, thereby making a distinction between arms pointed at Israel versus arms on the streets. Armed manifestations in the streets, according to the PIJ, are not resistance:

Resistance is an entirely different thing. Any weapon that does not maintain its purity and direction is rejected by everyone ... The Islamic Jihad and other factions have made

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50 'Islamic Jihad spokesman views Sharm al-Shaykh Summit, Bush's speech', Al-Jazeera interview with Muhammad al-Hindi, BBC, 3 June 2003.

51 *Financial Times*, 27 January 2006.

several appeals that there must not be a show of weapons in processions and an opening of fire among houses.<sup>52</sup>

Any policy adopted and implemented should be with the goal of unity. Unity will not be achieved through disarmament but it can be achieved, according to the movement, with participation and inter-Palestinian dialogue.

### **Domestic Policy: Participation and Inter-Palestinian Dialogue**

The PIJ is unique in that it maintains good relations with all factions regardless of whether it differs from them over ideological or political issues.<sup>53</sup> Its good relationship is due to the belief that the solution to the Palestinian problem lies in unity. According to the movement, unity cannot be achieved with statements, talks or political manoeuvres. It can only be achieved through a common goal and means, which is resistance.<sup>54</sup> Therefore, cooperation is necessary.

Cooperation is the guiding principle in the movement's pursuit of domestic policy, which can only be carried out through dialogue and participation. Dialogue and criticism, according to the PIJ, are the best methods of opposition to the political line taken by other factions. These methods reduce the potential for internecine violence. The PIJ's policy is that internecine violence should be avoided at all costs.<sup>55</sup> Opposition to the PLO should remain in the realm of politics and not be brought into military conflict, as this weakens the Palestinian cause and benefits the enemy. According to Dr Shafaqi, the guiding principle, which was enforced by Imam Khomeini, should be to prohibit demonstrators and Muslims masses from firing on the army, as they are the mainstay of the Muslim nation.<sup>56</sup> Even in response to the Palestinian Authority's arrests, detention and torture of its members, the PIJ maintained its policy of dialogue and rejection of the use of internal violence to solve disputes between factions.<sup>57</sup>

The domestic policy of the PIJ is premised on unity and the best way to achieve that, it argues, is through participation and inter-Palestinian dialogue, which govern the policy position of the movement on issues such as self-rule, elections, negotiations and dialogue, and conflict. Self-rule is viewed as an attempt to turn the Palestinian people into a bridge for the Zionists to cross into the heart of the nation to plunder its wealth.<sup>58</sup> Moreover, by accepting this it implies recognition of the right of a Jewish state on Palestinian land.

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52 'Palestinian security official, Islamic jihad leader discusses disarmament, truce', interview with Muhammad al-Hindi on al-Manar Television, *Financial Times*, 7 May 2005.

53 Author's interview with member in Palestine, summer 2007.

54 Sahlhah, *supra* note 46.

55 *Financial Times*, *supra* note 51.

56 Excerpt from Voice of the Islamic Republic of Iran Network 1, Tehran, in Persian, 2030 GMT 23 November 1994, BBC, 25 November 1994.

57 'Islamic jihad leader expects imminent resumption of operations', interview with Dr Ramadan Shallah by Jihad al-Khazin of al-Hayat, BBC, 24 September 1996.

58 'Islamic jihad statement criticizes Gaza-Jericho agreement', BBC, 8 October 1993.

The PIJ, however, said it would not oppose the establishment of a Palestinian state as a temporary solution to stop armed conflict with Israel:

We will not oppose such a solution on a temporary basis as long as it provides for the establishment of a full sovereign Palestinian state on the West Bank, the Gaza Strip, and Jerusalem; without settlements; with full security in the hands of Palestinians; and with full Palestinian sovereignty.<sup>59</sup>

The establishment of a state within the 1967 borders is not viewed as an achievement or a solution fulfilling the Islamic Jihad programme or strategy.<sup>60</sup> Nevertheless, if proposed it would be considered as a temporary solution.<sup>61</sup>

Elections are the first step in the direction of the establishment of an independent Palestine. There was a rejection of the issue of elections in the occupied territories as far back as 1989.<sup>62</sup> Talk of elections in 1989 and 1990 resulted in a policy of rapprochement and cooperation between resistance factions. Opposition to elections came from the idea that participation therein, and at that time, would mean the recognition of Resolution 242 and of Israel, and the renouncing of rights to certain portions of Palestinian land. Moreover, they would be held under an Israeli yoke to elect a body that carries its orders and international agreements according to their will and without consideration to Palestinian rights. Elections, according to Dr Shaqaqi, would not give the Palestinian people any type of sovereignty over themselves or their land.<sup>63</sup>

In 1995, the Islamic Jihad Movement's Al-Aqsa Battalions decided to participate in the legislative elections, stating that participating therein would be the first step in creating an independent Palestinian state and the entrenchment of national sovereignty.<sup>64</sup> However, Dr Shallah, who was elected to the position of Secretary-General after Dr Shaqaqi's martyrdom, stated that as a member of the Alliance of Palestinian Forces there would be a boycott of legislative and presidential elections, since they were being held in the absence of national sovereignty and under Israeli hegemony and sovereignty.<sup>65</sup>

Over the years, the PIJ's policy toward participating in the elections remained the same. None of its members would run for an elected position in the legislative and presidential elections. This did not mean, however, that it was opposed to Palestinians voting in those elections.

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59 Al-Jazeera interview with Nafidh Azzam, *Financial Times*, 24 January 2004.

60 Nafidh Azzam's statement: 'Islamic jihad leaders on election boycott, commitment to resistance', *Financial Times*, 24 January 2006.

61 Nafidh Azzam quoted in *Al-Hayat*, 24 January 2004.

62 Excerpt from Voice of National Resistance, 1430 GMT 1 October 1989.

63 Excerpt from the Voice of the Islamic Republic of Iran external service, Tehran, in Arabic, 1730 GMT 22 June 1995.

64 Text report by Voice of Palestine from Jericho, 26 November 1995.

65 'Islamic jihad leader explains his opposition to the elections', BBC, 22 January, 1996.

Registering for and voting in elections is an important domestic duty in our march towards ridding ourselves of corrupt people and corruption ... The principle of free and fair elections in all of our national affairs is a way of carrying out the duty of enjoining what is just and forbidding what is wrong and our request for reform and change. The elections are our way of highlighting popular participation in formulating the Palestinian national election and building a Palestinian society of resistance that is based on justice, freedom, [and] dignity.

While the PIJ was against participating in legislative and presidential elections, it did not oppose participating in municipal elections. In fact, several members won seats in those elections.<sup>66</sup> Municipal elections, according to Nafidh Azzam, are not linked to any agreements with Israel or any political conditions. The movement will not accept any agreement formerly signed. However, if a solution can be found to administer elections and governance without them being linked to restrictions imposed by the agreements signed with Israel, then the policy on elections would be different. Therefore, the determining factor guiding future participation would be whether the elections are done in accordance with Palestinian law and not under the Oslo or any other agreement signed with Israel.<sup>67</sup>

The movement's unwillingness to participate in legislative and presidential elections for the aforementioned reasons does not imply its refusal to participate in the making of or influencing domestic policy. The movement, as well as other Palestinian national alliance factions, participates through negotiations and dialogue with domestic and international parties. The PIJ's position on dialogue is primarily limited to inter-Palestinian issues: 'It should be comprehensive dialogue among all Palestinian factions and not just a partial dialogue'.<sup>68</sup> The principles upon which inter-Palestinian dialogue should centre include: rejection of disarmament; prohibition against denouncing resistance; and prohibition on detentions of resistance members and supporters. Adherence to these principles will result in the avoidance of domestic strife. The internal Palestinian situation should be more important than foreign considerations.<sup>69</sup>

PIJ has consistently maintained the policy that there should be no internal conflict between Palestinian factions. Weapons and violence are to be used for only one purpose, which is to rid Palestine from occupation. In 2005, Muhammad al-Hindi, argued 'there will be no fighting among Palestinians. Internecine fighting is an old Israeli wish ... Everyone is aware of his responsibility'.<sup>70</sup> The responsibility he was referring to is the maintenance of a solid, unified international front.

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66 Interview with an elected member in Palestine, summer 2007.

67 'Spokesman says Islamic jihad does not object to Egypt's role', statement by Nafidh Azzam, BBC, 17 June 2004.

68 'Islamic jihad leader discusses boycott of Cairo-sponsored Palestinian dialogue', Al-Jazeera interview with Dr Sahllah BBC, 22 January 2003.

69 'Islamic jihad leader calls for meeting with Palestinian government', Al-Jazeera interview with Muhammad al-Hindi, spokesman and leader of movement in Gaza, BBC, 6 June 2003.

70 'Palestinian security official, Islamic jihad leader discusses disarmament, truce', Muhammad al-Hindi on al-Manar Television, *Financial Times*, 7 May 2005.

Recognizing that polarizing differences exist among Palestinian factions, Nafidh Azzam argued that the sacredness of the cause will allow them to be set aside. Muhammad al-Hindi said:

Internal conflict, irrespective of their justifications does not serve any Palestinian party, but only Zionist enemy interests.<sup>71</sup> Regardless of the extent of internal Palestinian disagreements, there is only one way to solve them; namely, dialogue and nothing else. Any use of weapons outside the framework of law and public order is harmful to the interest of [the] Palestinian people and cannot be justified by any means whatsoever.<sup>72</sup>

Neither the movement nor ordinary Palestinians thought internecine violence was possible and always dismissed such talk as a myth or an Israeli wish. Unfortunately, the Israeli wish came true. Clashes between Hamas and Fatah broke out in 2005. When they did, the PIJ was quick to jump to the forefront calling for dialogue and unity. Specifically, it offered to meet with leaders to contain the crisis. According to Khaled al-Batsh, the PIJ was and continues to be ready to mediate between Hamas and Fatah. He called on them to exercise restraint and avoid being dragged down by the media and verbal altercations, which may cause an escalation and tension in the two movements relations and reflect negatively on national unity.

The violence that erupted in 2005 and even in 2006 was periodic and not in comparison to the quasi-civil war that took place in 2007. In January 2007, the movement said it was willing to order its fighters into the streets to prevent infighting, if necessity demanded. Dawud Shihab said, 'the fighters of Islamic jihad will be compelled to go onto the streets if necessity demanded prevention of infighting which throws the Palestinian arena into turmoil'.<sup>73</sup> Then in May 2007, upon the initiative of the PIJ and the Egyptian Brothers, a ceasefire agreement between Hamas and Fatah was reached.<sup>74</sup> It did not last more than one week. At the time of writing, a fully fledged civil war has erupted in Gaza, with Hamas militarily taking control over all of Gaza and Fatah fleeing to the West Bank.

This civil war cannot be blamed solely on warring factions but is rather a culmination of international and domestic factors. Domestically, it is due in part to corruption within the PLO factions dominated by Fatah and their inability to come to terms with their loss of elections in 2006; the continued attacks, assassinations and incursions by the Israelis; the attempt of Palestinian security services to disarm the resistance factions, which encompasses more than Hamas and PIJ, but leaving its own allied resistance movements in tact; and the denunciation of the

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71 'Islamic jihad official says internal conflicts benefit Israel, urges dialogue', Muhammad al-Hindi, *Financial Times*, 20 July 2004.

72 'Islamic jihad leader says Palestinians need dialogue to resolve differences', *Financial Times*, 9 September 2005.

73 'Islamic jihad leader poised to deploy fighters to prevent Gaza violence', Dawud Shihab on Ramattan News Agency, *Financial Times*, 4 January 2007.

74 'Islamic jihad leader welcomes Palestinian cease-fire agreement', Al-Jazeera interview with Dr Ramadan Shallah, *Financial Times*, 20 May 2007.

resistance's retaliatory strikes on Israel.<sup>75</sup> Internationally, the domestic factors were exacerbated by the cutting off of financial aid to the Palestinian government; the failure to recognize and at least attempt to work with a Hamas-led government; the funnelling of weapons and money to the Palestinian security services and Fatah; requiring President Abbas to denounce every act of violence done in retaliation of Israeli strikes; and requiring him to arrest, detain, and disarm resistance factions. As a result of all of these factors, sadly, the sacredness of the cause was set aside for Palestinian disagreements.

### *Foreign Policy*

The existence of a foreign policy does not imply the PIJ is an international movement. It is not, because its aims, objectives and goals are limited to Palestine. An international movement or organization is one that is outward-looking; one that is concerned with changing the entire system. In an Islamic sense, an international organization would be concerned with the establishment of an authoritative frame of reference to govern the international system. It would not be concerned with the establishment of a state within the existing international framework. This is why the PIJ cannot be considered an international movement. It was created specifically for resisting occupation and as an Islamic alternative to the Muslim Brotherhood Society in the West Bank and Gaza and later Hamas.

While it is not an international organization, the interdependent nature of the international and regional world order necessitates the development of foreign relations and therefore the establishment of some type of foreign policy. Foreign relations and foreign policy are necessary for the maintenance of a policy of resistance. A policy of resistance, however, is not dependent upon international or regional recognition but it does aid the movement in maintaining the sacredness of the cause. In examining foreign relations and foreign policy of the movement, it cannot be looked at according to traditional definitions.

Foreign policy is traditionally defined as policy that governs behaviour between states. It is how one state behaves toward another and the types of agreements to be signed such as treaties, pacts, alliances, etc. In today's world where non-state actors play an extremely dominant role, it is possible to conceive of them having foreign relations and a foreign policy. Foreign relations entail the meeting of members or representatives of the organization with foreign governments or their representatives and other powerful non-governmental or quasi-governmental organizations outside of Palestine. They send emissaries to act as their representatives in other countries that meet, lobby and solicit support from foreign governments for their cause; they sign agreements; and they insert their opinion on matters outside of their cause. For example, the PIJ has representatives in countries such as Syria, Lebanon, Iran and Egypt. The presence of these representatives is a function of its foreign policy. Their function is comparable to the role of ambassadors which are sent by states

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<sup>75</sup> Analysis based on interviews conducted by the author of residents of West Bank and Gaza.



to foreign countries. These representatives attend functions, lobby their cause, and brief governments and media on the conditions in Palestine.

In addition to sending representatives abroad, the movement also establishes foreign relations through the issuance of communiqués and attending foreign events. The issuance of press releases condemning foreign governments, in particular Arab governments, for their lack of assistance in the cause is another way in which the movement establishes foreign relations. This is important because the Palestinian question and the plight of its people do not just resonate within the Muslim community but within the Arab street. The movement also issues communiqués commending the Arab governments when they act on the Palestinian issue, such as when the Arab League established a support fund for the Palestinians in 2000. Just as the Arab governments utilize the Palestinian issue as a domestic policy tool, the Palestinian groups use it as a foreign policy tool, which rouses the hearts and minds of the masses throughout the Arab world.

Similarly, the movement will issue communiqués on events occurring internationally which are not directly related to Palestinian issues. Commenting on international crises and events through press releases and conferences is also another important foreign policy tool. An example of this is the Iraqi invasion of Kuwait and the US presence in Najd and Hijaz, which is seen as an aggression on the land of the two holy places – Mecca and Medina.<sup>76</sup> The use of communiqués in an attempt to influence behaviour on the Palestinian issue or commenting on unrelated issues are ways in which the movement can gain international and media exposure. Both of these are important in further legitimizing the movement as an important factor in the resistance and political sphere within Palestine.

The development of foreign policy and a network to conduct it is an extremely important characteristic that ensures survival and will aid in transition to a political party in the future. Specific foreign policies of the movement include policies of non-recognition, negotiation and dialogue, peace and truce. A policy of non-recognition is the guiding principle of the movement. According to the movement, sharing a homeland with the enemy and recognizing its legitimacy violates God's orders.<sup>77</sup> Any resolution or agreement recognizing the entity's state is illegitimate.<sup>78</sup> In 1994, the non-recognition principle was amended to include so long as occupation exists.

A policy of negotiation and dialogue with foreign entities other than Israel is limited to inter-Palestinian matters such as the exchange of prisoners, truce or domestic order. The movement will not engage Israel directly because to do so

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76 It should be noted that this position was not reflected by Secretary-General Shaqaqi, but rather was put forward by Sheikh Tamimi. Therefore, it cannot be attributed to the movement as a whole but instead to Tamimi's cell – Islamic Jihad-Beyt al-Maqdis. However, it still serves as an excellent example of the way in which the movement utilizes international crises to gain attention and legitimate itself. See excerpts from Republic of Iraq Radio, Baghdad, 1400 GMT, 30 September 1990, published by the BBC on 2 October 1990.

77 'Al-Quds Radio commentary and statements by Islamic jihad movement', BBC, 16 November 1988.

78 'Islamic jihad mentions attacks PNC Algiers meeting', BBC, 12 December 1988. This article published excerpts from Sheikh Tamimi's radio address on al-Quds Palestinian Arab Radio, 1315 GMT, 9 December 1988.

would imply recognition of its right to Palestinian land. However, it does engage in indirect dialogue through the issuance of media statements responding to Israeli statements and actions or its objection to the peace process. Its policy toward peace is based on the premise that ‘genuine peace’, according to Dr Shallah, is that which ends the ‘aggression and injustice ... inflicted on [Palestinians] when [the] land was usurped’. Therefore, for peace, matters must be restored to how they were before the occupation of Palestine and the uprooting and dispossession of its people.<sup>79</sup>

While a peace treaty is not conceivable, a truce or calm is possible. The Madrid Conference and others like them were rejected because the aim or goal for the participants was a peace treaty or accord.<sup>80</sup> However, if the Muslims’ circumstances require a cessation of fighting, then a truce is permitted. A temporary truce, with guidelines for its duration and termination, is permitted but a permanent peace is not because it would entail the abandoning of Muslim lands.<sup>81</sup> The policy of calm or truce, however, developed over time. Prior to the end of 2001, it was rejected completely. For example, in 1996, Dr Shallah stated that, because the movement was not an army fighting a regular war against another regular army, speaking about a truce or ceasefire for the purpose of attaining a peaceful political settlement is not appropriate. Each day where there is no conflict it is tantamount to the existence of a truce.<sup>82</sup>

In 2001, Shaykh Abdallah al-Shami, a leader of the movement, said that the truce is a crime against the Palestinian nation which ties their hands in the struggle for resistance for liberation of their homeland while leaving the criminal Zionist occupiers free to act against the Palestinians.<sup>83</sup> However, at the end of December, Nafidh Azzam, a leading figure in the movement, announced that military operations against Israel would be halted in order not to give the latter an excuse to exercise further pressure on the National Authority. This was done out of the movement’s desire and eagerness to protect Palestinian unity. Disagreement provides Israel with a pretext to increase the pressure on the people and their Authority.<sup>84</sup> Thus, policy evolved to the acceptance of a truce or calm when doing so would protect the unity of Palestinians.

A truce is not PIJ’s wish and part of its principles. However, the complications of the reality, the pressure of some regimes, and out of [their] keenness not to leave room for some to say that [the movement] is still moving in the circle of constants, ideologies and

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79 *Financial Times*, *supra* note 51.

80 BBC, *supra* note 15.

81 ‘Only truce, no permanent peace’, BBC, 29 November 1991.

82 *Financial Times*, *supra* note 51.

83 ‘Iranian TV interviews spokesman for Palestinian Jihad Movement’, interview with Abdallah al-Shami by the Islamic Republic of Iran Network 4 on 3 July 2001, BBC, 3 July 2001.

84 ‘Islamic jihad decision to halt anti-Israel operations reported’, text report of an interview with Nafidh Azzam on Voice of Palestine on 25 December 2001, BBC, 25 December 2001.

principles, [it would be] forced to seriously discuss the proposal to reach calm in these circumstances.<sup>85</sup>

Calm, however, would require Israel to meet certain conditions. The conditions included: immediate cessation of all forms of aggression, including assassinations, incursions, demolition of homes and closures; and the unconditional release of Palestinian and Arab prisoners from Israeli jails, beginning with those who have been given long-terms sentences, including women, elderly and sick people. The calm would not be binding if Israel does not abide by these conditions. Moreover, the movement reserves the right to retaliate should Israel violate the conditions.<sup>86</sup> In 2007, the movement rejected any talks regarding the possibility of a truce or calm out of concern for the domestic situation. The cessation of domestic turmoil is to their priority for the year.

### **The PIJ: a Wild Card in Palestinian Politics?**

This chapter sought to examine whether the PIJ could be next in line to make the transition to a political party. In order to examine its potential, the origins, political ideology, and political programme and policies were examined. Upon examination, it can be concluded that the PIJ has the potential to be a wild card in future Palestinian politics. It possesses some characteristics such as political ideology and programme, organizational structure and leadership, and domestic and foreign policies, which will provide a foundation for further growth, refinement and solidification of these, as well as the development of others such political will and internal and external recognition.

Political ideology is an important characteristic needed for transition because it provides unity internally and externally within the movement. It determines how it views the world – internationally and regionally – and its relations thereto, as well as how to behave therein. Organizational structure and leadership are extremely important characteristics. This is because an organization must have the capacity to expand and grow, but still maintain order to prevent fragmentation. Fragmentation often results during power struggles between members of an organization or during lack of consensus regarding the goals and objectives. Fragmentation within the movement is unlikely because of the cohesion and unity among the leaders since its inception. Each faction comprising the movement and their leaders are independent yet interdependent. Even more important is the PIJ's collective liability, whereby the action of one is supported by all. Contrary to some resistance movements, the PIJ does not squabble publicly. This ensures cohesion and unity internally, as well as providing a united front externally.

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85 'Palestinian Islamic jihad said forced to seriously discuss truce proposals', Al-Jazeera interview with Shaykh Abdullah al-Shami, leader of movement in Gaza, BBC, 26 June 2003.

86 'Palestinian Islamic jihad official discusses terms of ceasefire with Israel', Al-Nahar interview with Muhammad al-Hindi, BBC, 2 July 2003.

Since the movement has set transition aside for future discussion, it will remain a quasi-political resistance movement. It is quasi-political because although it maintains itself as purely a resistance movement, the movement has increasingly become more political by providing consultation to the governing authority in Palestine regarding its vision and through the development of domestic and foreign policies. The development of policies is what makes it more than just a resistance movement. It is what makes it a quasi-political movement. Upon refinement and the establishment of a more detailed and comprehensive domestic agenda, it could be considered a political organization. The movement's domestic policy is primarily concerned with the political sphere. Missing are detailed social and economic programmes. However, beginning in 2001, the Islamic Jihad Movement in Palestine began developing a socio-welfare infrastructure.<sup>87</sup>

Social and economic programmes are extremely important, more so than the political, because they further legitimize an actor within the community-at-large. It cannot be contested that the movement is not a legitimate actor. There is a difference, however. The movement's legitimacy is derived from resistance. It can be counted on to defend Palestine and the Palestinian people from Israel's acts of aggression. As long as occupation continues to exist, legitimacy will be maintained. The problem, however, arises after occupation or during the time period of temporary statehood within the 1967 borders. Legitimacy derived from resistance will not be sufficient for the movement to maintain its importance as a vital political actor. Thus, the development of economic and social policies and programmes for their implementation are vital. They would give the group a different type of legitimacy; one that will maintain the movement's role as a vital political actor. With Gaza in disarray, this would be an opportune time for the movement to begin such programmes.

In addition to domestic policy, the movement could refine its foreign policy to further legitimate itself as a vital political actor. The movement's foreign policies have been concentrated regionally, with the exception of the issuance of communiqués related to Western states' foreign policy in the region. While the issuance of communiqués and attendance at functions are important, the movement needs to be more assertive in its lobbying. It needs to reach the people living in the states comprising the international system; it needs to do so to dispel the negative perception of the movement, its policies, objectives and goals. Coming to know the other makes it harder to call him an enemy. The movement cannot continue to reject this option, especially in an interdependent international system. Moreover, this will aid the movement in receiving external recognition as an important political actor.

While the transition can be made without external recognition, it would aid it in the area of economic development. This does not mean reliance upon organizations such as the World Bank or the World Trade Organization, but rather to facilitate trade and investment between countries. Private investment will not be forthcoming without external recognition of an actor who is a member of the governing authority or who may control the governing authority. In this sense, it provides accountability.

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87 Author's interview with member in Palestine, summer 2007.

External and internal recognition are not causal but are relational. The movement can maintain the latter without obtaining the former, but its impact on the governance of Palestine will be limited once it does decide to take the step. In conclusion, all of the aforementioned – political ideology and programmes, organizational structure and leadership, and domestic and foreign policies are not sufficient by themselves to enable the movement to make the transition. There must be will among members of the movement, in particular its leaders.

## Chapter 7

# The Islamic Salvation Front: Transition FIS-Style

Rachael M. Rudolph

The transition under investigation in this book is that of resistance movements to political parties. Specifically, it is concerned with those who were successful; those who are in the process; those who have failed; those who have the potential; and, finally, those who are never capable of making the transition. The Islamic Salvation Front (FIS) is a group that made the transition but then failed. It was never a resistance movement *per se* but, rather, a political party that made the transition to a quasi-resistance movement. This does not mean that the FIS is irrelevant to the topic under investigation. Through the study of the FIS, characteristics that made it both a success and a failure can be identified. This chapter will, therefore, examine political Islam in Algeria and the role of the FIS therein; and, the ideological influences and the development of its own political ideology and programme.

### Political Islam in Algeria and the Origins of the FIS

Since the majority of Algerians are Muslim, Islam plays a role in the social, economic and political spheres, as well in the construction of identities. The first organization, the Association of Ulemas, was established in 1931 by ‘Abd al-Hamid Ibn Badis.<sup>1</sup> The influence of the Ulemas resulted in the development of a network of religious schools, places of worship and cultural associations, which led to the emergence of another group of Islamists.<sup>2</sup> This group was comprised of teachers educated in universities across the Middle East. These movements were reformist in nature and their most significant impact was the socialization and development of a cultural identity among Algerians. Both movements, the one led by the Ulemas and the other by academics, influenced the development of modern political Islam in Algeria.

The modern Islamic current in Algeria, according to Layachi, can be broken into two phases.<sup>3</sup> The first phase encompasses 1969 to 1979; the second phase from 1980 to the present. Organisations that emerged during the first phase were influenced not

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1 Zoubir, Y.H. (1996), ‘Algerian Islamists’ conception of democracy’, *Arab Studies Quarterly*, 18:3, 65.

2 Novati, G.C. and Bellucci, S. (2001), ‘Islamic Governance in Algeria and Sudan: A Fading Quest for a Model?’, *Mediterranean Quarterly*, 12:1, 100–114.

3 Layachi, A. and Haireche A. (2001), ‘National Development and Political Protest: Islamists in the Maghreb Countries’, *Arab Studies Quarterly*, 14:2/3, 69.

only by the Ulema and Muslim academics but also by *al-Qiyam al-Islamiyya*.<sup>4</sup> The organization was influential because many members later founded Islamic political movements such as the FIS.<sup>5</sup>

During the first phase, the Islamists groups did not pose a real threat to the Algerian government.<sup>6</sup> This was in large part due to the state's successful campaign to incorporate Islamist discourse. In addition to this, the government under Boumediene implemented socio-economic welfare policies that benefited all within society. The economy thrived for the majority of this period. It was not until Boumediene's death in 1979 that the economy deteriorated and new policies were implemented, which made socio-economic conditions for the people, in particular those not connected to the government, unbearable. Therefore, the lack of challenge by Islamists during the first phase was also due in part to successful socio-economic policies.<sup>7</sup> The Islamists, however, were able to find a niche from which to make their presence felt during the first phase. They were able to challenge the government on socio-cultural issues due to the negative cultural effects associated with development and the linking of socialism and Islam ideologically. More importantly, the lack of an organized, developed civil society prohibited the movement from challenging the government politically.<sup>8</sup>

While the Islamists were unable to challenge the government in anything other than cultural issues in the first phase, the second one was different. A continuation of economic deprivation, social exclusion and political under-representation gave birth to new and existing Islamist groups that comprise the Algerian Islamist movement. These, coupled with the death of Boumediene in 1979 and the subsequent rise of the military, opened a window of opportunity for the movement. It enabled the movement's members to become more assertive both politically and publicly and to begin laying the groundwork for its political foundation.

The second phase, encompassing 1980 to the present, began with Boumediene's death, the rise of the military to power and the challenge of the Islamist movement. Their challenge was enabled by the economic, social and political environment. When the military came to power, they renounced Boumediene's economic policies.<sup>9</sup> Due to the decline in oil revenues, the government could not continue providing social welfare benefits to society and remain functionally viable. It had to cut its budget, which it did by targeting the middle class. Funding to the poor could not be cut because it would have resulted in a popular uprising. While benefits continued to the poor, they were drastically reduced compared to past policy. Corruption, while not new, was even more pronounced.<sup>10</sup>

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4 Al-Qiyam al-Islamiyya was founded in 1963 but it did not become official until 1964.

5 Zoubir, *supra* note 1.

6 Novati and Bellucci, *supra* note 2.

7 Layachi and Haireche, *supra* note 3.

8 *Id.*

9 *Id.*

10 Layachi and Haireche, *supra* note 3.

By 1988, social unrest erupted into popular protests, which resulted in greater governmental repression. Then, in 1989, the government had no choice but to open the political system to other parties. The popular rebellion and the opening of the political sphere resulted in a power vacuum, which the Islamists were able to fill.<sup>11</sup> In all of the governments since independence, Islam has always had its role in politics. The rise of the Islamist movement, and the Islamic Salvation Front in particular, was a logical outcome of the government, who sought to base its legitimacy on Islam but failed to respond to the material expectations of the people.<sup>12</sup> The FIS was able to rise to power because it possessed an untried political alternative, coupled with strong leadership and its connection to the people.

### **The Emergence of the FIS**

Like the ANC, the FIS is unique because it emerged as a political party, first and foremost, and not as a resistance movement. It was formally created in March of 1989 and was the first Islamist organization to be recognized by the government as a political party. This recognition, as well as the tension on the streets, enabled it to mobilize voters whose interest had been systematically ignored – the middle class – namely the small-business sector, low-level bureaucrats and administrators, and the educated segment of the population.<sup>13</sup> The FIS used the existing social infrastructure established by the many Islamist organizations over the years to demonstrate its ability to provide an alternative should it come to power. Effective mobilization enabled the FIS to win the majority of the first round of elections in 1991.

As a result, the government, led by the FLN (Front de Libération Nationale), was faced with defeat. Instead of coming to terms with their defeat, the military-dominated wing of the FLN cancelled the second round of elections and declared FIS illegal. The cancellation of elections resulted in popular discontent, which prompted the government to violently repress its population. The FIS and many others ultimately had no choice but to resort to resistance. Thus, it only became a quasi-resistance movement after the government's cancellation of elections, and its illegalization and violent repression by the military and police. Prior to examining the success and failure of the FIS as a political party, it is necessary to examine its ideological influences and political ideology, which shape its policies.

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11 Mounshipouri, M. (1999), 'Reform and the Human Rights Quandary: Islamists versus Secularists', *Journal of Church and State*, June, 445–74.

12 Tahi, M.S. (1999), 'Algeria's Democratization Process: a Frustrated Hope', *Third World Quarterly*, 6:2, 197–220.

13 Chhibber, P.K. (1996), 'State Policy, Rent Seeking, and the Electoral Success of a Religious Party in Algeria', *The Journal of Politics*, 58:1, 126–48.



## Ideological Influences and Development of Ideology

Influences on the ideological development of the Islamic Salvation Front (FIS) can be found in Jamal al-Din al-Afghani, Muhammad ‘Abduh, Abu Hamid al-Ghazali, Amir Shakib Arslan, Hassan al-Banna, Sayyid Qutb, and Mawlana Sayyid Abul A’la Mawdudi. Each of these ideologues provided a different type of influence. While their ideological contributions will be discussed in detail, al-Afghani provided ideas regarding the role of Islam and Islamic civilization; Abduh provided ideas regarding the role of social morality; al-Ghazali provided ideas regarding the governing structure; al-Banna provided ideas regarding the need and role of organization; and Qutb and Mawdudi provided ideas regarding how to go about obtaining all of the aforementioned. None of them, however, provided a direct influence on the development of the FIS’s political ideology. Rather, the culmination of the ideas, the role played by each as ideologues, and the experiences and historical context of Algeria were responsible.

Jamal al-Din al-Afghani, according to Hourani,<sup>14</sup> was influenced by the threat of European intervention. Thus, al-Afghani argued for not only national unity to resist it but a broader unity encompassing the entire *ummah* (Muslim community), and a constitution to limit power of the ruler. The Muslim nation would only be successful if it were awakened. Failure would result from disunity, ignorance and lack of public virtues.<sup>15</sup> The ideas put forth by al-Afghani, which influenced the FIS, are a blend of revolutionary pan-Islamism, religious and nationalist feeling, and European ideas of scientific rationalism.

For al-Afghani there had to be a shift from an emphasis on Islam as a religion to Islam as a civilization. This is because the aim of man is not the service of God alone but the creation of human civilization, the necessary attributes being social development, individual development, and belief in reason, unity and solidarity. To attain them, society must accept the fruits of reason and science, and restore unity. The latter, however, is the most important because it is the glue that binds society. Muslim society could attain unity through cooperation of religious and political leaders, thus ensuring solidarity of the entire *ummah*; having and maintaining a sense of individual responsibility toward others and the collective; and, having the desire to live in harmony and work together for its welfare. For this to be accomplished there must be reform.<sup>16</sup>

Reform, according to al-Afghani, was not possible without the return to the truth of Islam, accepting it and living accordingly. The true Islam is belief in transcendence of God, the creator of the universe, and a rejection of all those creeds which maintain the universe was self-created and that the world or man was a fit object of worship. True religions, he argued, taught three truths above all: that man was monarch of the earth and the noblest of created things; that his religious community was the best of all; and that he had been sent into the world to perfect himself in preparation for

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14 Hourani, A.(1983), *Arabic Thought in the Liberal Age 1798–1939* (Cambridge: Cambridge University Press).

15 *Id.*

16 Hourani, *supra* note 14.

another life. Acceptance of these three truths brought three virtues, which were the bases of society. They are modesty, trust and truthfulness.

Islam, therefore, has three guiding beliefs – transcendence, reason, and activity – that go hand-in-hand. Islam is in harmony with the principles discovered by scientific reason because it is a religion demanded by reason. Reason, according to al-Afghani, should be used fully in interpreting the Qur'an. Since reason can interpret, all men can interpret, provided they have a sufficient knowledge of Arabic, are of sound mind, and know the tradition of the *salaf* – the first generation of faithful guardians of the Prophet's message. Therefore, the door of *ijtihad* is not closed and it is a duty and right for men to apply the principle of the Qur'an anew to problems of their time. To refuse to do this is to be guilty of stagnation (*jumud*) or imitation (*taqlid*) and these are enemies of Islam just as materialism is an enemy.<sup>17</sup>

While reason can attain to truth in principle, human nature by itself cannot observe the rules which reason teaches due to passions and desires. Passions and desires can be controlled in various ways but many of them are not appropriate. They can be controlled by force (but this leads to chaos and oppression); by obeying a sense of honour (but this differs among and within societies and could thus lead to chaos and disorder); by power and government (but this can only suppress a certain type of injustice and thus can lead to chaos and disorder); and, finally, by belief in the existence of God, which is the only means available to providing a stable basis for obedience to moral principles. In addition to having belief, one must act upon one's belief.<sup>18</sup>

Islam means activity and not passive resignation. It is based on the principle that God does not change what is in a people until they change what is in themselves. Change, therefore, can only occur through action. Not just any action is sufficient, however. There must be responsible activity when doing the will of God; man is responsible before God and responsible for the welfare of society. While the first deals specifically with attempting to reform Islam, the latter is built on the principle of cooperation. If the spirit of cooperation exists, then the existence of more than one state has no importance. Moreover, outside interest has to be taken into account when formulating societal interests, as there should be good relations and harmony in what pertains to national interests.<sup>19</sup>

Like al-Afghani, Muhammad Abduh began with the inner decay of Muslim society and the need for revival.<sup>20</sup> Like his teacher, Abduh believed the solution was unity, but moral unity in particular. Moral unity could be obtained through the strengthening of society's moral roots, which required the acceptance of change and not a return to the past. Change, however, had to be linked to Islam. This was because, according to Abduh, real Islam consists of certain beliefs about humanity and general principles of behaviour that are reached through reason and revelation. Decline of the Islamic community, therefore, was due to lack of moral unity and reform.

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17 Hourani, *supra* note 14.

18 *Id.*

19 Hourani, *supra* note 14.

20 *Id.*

Abduh differed from al-Afghani in that he provided a more detailed programme of reform, specifically in areas of law, education and politics. Muslim nations could not become strong again until they acquired the sciences, which were the product of its activity of mind. This was possible because they are products of reason and Islam taught acceptance of reason. To do this, the law must be reinterpreted and adapted to modern problems. Since God's purpose was to promote human welfare, present-day problems and law should be interpreted with that in mind. The guiding rule, therefore, was to be the general welfare of mankind.

In terms of education, Abduh believed that ordinary people should be taught the broad principles of doctrine without anything being said about the difference of schools and of Islamic history. In addition to this, members of society should be trained in logic and philosophy, doctrine on rational proofs, and ethics. Politically, Abduh called for unity of the *ummah* and nation in the modern sense. Emulation of Western institutions of governance would not bring about political reform because political reform requires unity. This does not mean the rejection of certain Western institutions, as he viewed them as inevitable, but rather the adoption of them within the context of unity and preservation of the religious character of the state.<sup>21</sup>

In contrast to al-Afghani and Abduh, Abu Hamid al-Ghazali provides a more detailed programme of Islamic government. Writing in the twelfth century, he defined politics as a science 'which deals with the proper order for the state affairs of the mundane category. It is derived from God's books as revealed to the prophets or from the orders of the saintly person in the days of yore'.<sup>22</sup> Islamic government is established for the benefit of Muslims and its purpose is to see to it that the *Shari'a* is obeyed.<sup>23</sup> The *Shari'a* is the source of all authority, including political authority. The prerequisite for knowledge of the *Shari'a* is acknowledgement of its established sources, which are the Qur'an and Sunnah, and, wherever sources are not clear, *Ijma* (consensus) and *Qiyas* (analogy).<sup>24</sup> The *Shari'a*, in essence, is a source of constitutional legitimacy.

Rule by the *Shari'a* does not mean rule by theologians as it is usually conceptualized. Instead, for al-Ghazali, it is a concept of a multilateral government. The Prophet's purpose was the establishment of the religion of Islam. Therefore, the appointment of an Imam and the institutionalization of religion and recognition by the state are obligatory. During his time, it was referred to as the Caliphate. The authority of the caliphate is derived from the community of Muslims. Since the duty of the Prophet was to organize the establishment of Islam, the caliph is responsible for ensuring the communities' adherence to religious observation. Thus, this gives the caliphate itself a functional authority. Since the requirement of the *Shari'a* is the establishment of some sort of institutional authority to execute this functional

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21 Hourani, *supra* note 14.

22 Sherwani, H.K. (1935), 'El-Ghazali on the Theory and Practice of Politics', *Islamic Culture*, 19, 450–74.

23 Binder, L. (1955), 'Al-Ghazzali's Theory of Islamic Government', *Muslim World*, 45, 229–41.

24 *Id.*

authority, the absence of a Caliph in present day context does not mean the institution of the 'Caliphate' could not be present in modern context.

According to al-Ghazali, all power is derived from the Caliph. The actual government of Islam, however, is carried out by the ruler, who in his time was called the Sultan. The Caliph validates the government of the Sultan, even if the government is not in conformity with the *Shari'a*. The government is only valid when it is recognized by the Caliph. The total achievement of this arrangement is the recognition by the holder of power that the *Shari'a* is the organizing principle of the community; it is the establishment of order and the maintenance of discipline.<sup>25</sup> Therefore, in a modern-day context, given that there is no Caliph, Islamic legitimacy is derived from the recognition of *ummah* of the ruler and the ruler of Islam as the guiding principle. Thus, the implementation of the *Shari'a* does not mean rule by the Ulema. Rather, the Ulema serve merely a consultative function.

Amir Shakib Arslan, a student and friend of Abduh, following in the footsteps of his ideological predecessors, sought to reconstruct the bonds of Islamic solidarity through virtue of adherence to the faith and action, but action of a different kind. Action was required on a pan-Islamic basis. For him, the type of reform needed was an Arab pact, wherein all Arab and Muslim states together worked to defend the Arab cause and to promote the aspirations of independence. It is from him that the FIS derived the importance of solidarity needed in a broader regional context.

Since Hassan al-Banna, Sayyid Qutb and Mawlana Sayyid Abul A'la Mawdudi were discussed in greater detail in the chapter on the PIJ, their ideology will not be discussed here. Instead, discussion will be limited to their ideological contributions to the FIS in particular. From al-Banna, the FIS derived the importance of revival, organization and upbringing in the revitalization of the Islamic call. From Qutb, the FIS derived ideas of implementing an Islamic system from the bottom upwards as opposed to it being top-down or imposed. From Mawdudi, the FIS derived its ideas of *jihad* in all of its forms. While al-Afghani, 'Abduh, al-Ghazali, Arslan, al-Banna, Qutb and Mawdudi all provided ideological inspiration in the development of the FIS's ideology, they also provide another sort of influence. They were more than just ideologues. All of these men were active participants in their own societies who sought reform. Therefore, FIS leaders had to be more than an ideological influence on Algerian society; they had to be active participants in the shaping of Algeria's future.

## A Representation of Political Ideology

In order to understand the actions and policy positions of the FIS, a representation of its political ideology is essential. Since the creation of the FIS and until its ban in 1992, there were a variety of ideological currents, with none of the leaders ever really agreeing on the means to attain power. Despite this, a dominant ideological discourse did emerge regarding important political and social issues, which shaped

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25 Binder, *supra* note 23.

the foundation of the policies pursued before and after being declared illegal.<sup>26</sup> The dominant ideological discourse was consistent with the main ideas put forth by al-Afghani, Abduh, al-Ghazali and Arslan, which were led by the need for unity. Unity was needed not just for the Muslim community but for all Algerians, regardless of political, ethnic and social differentiations.

Ideologically, there are two trends within the FIS. The first, termed *djaza'ara* (Algerianist) represents the majority of FIS membership.<sup>27</sup> The second ideological trend is more conservative in nature, but only represents the ideological tendency among the minority of FIS membership. It is driven by a desire for religious purification and not political participation within the existing order.<sup>28</sup> Due to the ideologically conservative trend being isolated from mainstream FIS ideology, many of the more conservative elements broke away and joined the Armed Islamic Group.

The Armed Islamic Group (GIA), created in 1992, rejected political participation of the FIS in the election. It was viewed by the GIA as being doomed from the beginning.<sup>29</sup> The majority of its membership is comprised of those who are most disaffected in society. The GIA seeks the establishment of an Islamic state and declares anyone who fails to fight for this end as an 'infidel'.<sup>30</sup> However, the reasons cited by the GIA in a letter sent to media outlets for it taking up arms following the cancellation of elections are torture, rape and institutionalized executions committed by the government, police and military.<sup>31</sup> Due to the government's oppression and repression of the people, GIA declared anyone who does not fight for their removal would be considered as aiding them and thus be a legitimate target. It is the use of violence and sweeping use of *takfir*, the process of designating someone as an 'infidel', that separated GIA from other resistance groups in Algeria. This does not represent the ideological trend of mainstream FIS members.

The mainstream ideological trend that encompasses the majority of FIS membership considers the realities of political context and rational calculus of what will benefit society and the polity. Rationalism, as will be recalled from al-Afghani, is the fruit of reason and science. Thus, FIS wants a reinforcement of the Islamic aspect of Algeria but not the overthrow of a secular state and its replacement by an Islamic republic.<sup>32</sup> It seeks an order based on respect for popular legitimacy, guaranteeing

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26 Zoubir, *supra* note 1.

27 Layachi and Haireche, *supra* note 3.

28 Wiktorowicz, Q. (2001), 'Centrifugal Tendencies in the Algerian Civil War', *Arab Studies Quarterly*, 23:3, 65–82.

29 With special thanks to my students, Whitney Nightingale, Dustin Poster and Elias Stewart, for their research assistance with the Armed Islamic Group.

30 Willis, Michael (1996), *The Islamist Challenge in Algeria: A Political History* (Berkshire: Ithica Press).

31 Mujahideen, 16 January 1995. Available at: <<http://images.google.com/imgres?imgurl=http://mprofaca.cro.net/quran2.gif&imgrefurl=httpmprofaca.cro.net/massacr1.html>>.

32 Roberts, H. (1995), 'Algeria's Ruinous Impasse and the Honourable Way Out', *International Affairs*, 71:2, 247–67.

fundamental liberties – individual and collective – regardless of race, sex, religion or language, with freedom for all, and respect for religion.

Political order and governance is to be obtained by consensus through election. Election, according to al-Ghazali, is not a human stratagem but a God-given blessing.<sup>33</sup> The FIS never had any intention of incorporating the Ulema as a new ruling group and this would hold true if it ever came to power in the future. The role of the Ulema, according to Afghani, Abduh and Ghazali, is not to govern but to serve as a consultative function to the political authority. This consultative function, premised on the principle of *Shura*, denotes a state in which everyone has equal rights without hereditary or arbitrary differences of rank and privilege.<sup>34</sup> Thus, the ideal government is one in which there are constitutional limits and popular legitimacy. The aforementioned representation of the ideology of FIS influenced the development of its policies.

### Policies of the FIS

Prior to examining FIS policies, the method used for their identification must first be examined. Policies were identified by examining public statements released by the FIS or from interviews given by leaders to the press. Secondary sources were used when the author quoted from FIS documents or from an interview s/he conducted with a group member. Organizational and leadership structure were identified by whether they dealt specifically with the internal structure or operation of the FIS. If they did, then they were coded as organizational. Organizational type – centralization, decentralization or quasi-decentralization – was coded as centralized if decision-making was limited to the executive body and did not include consultation with lower-level members or the masses; it was coded as decentralized if decision-making included consultation with lower-level members and the masses; and, it was coded as quasi-decentralized if elements of both centralization and decentralization were present.

Domestic policies were identified by whether they dealt with domestic relations. These relations were coded according to whether they were political, economic, social or cultural. Afterwards, they were coded a second time to determine the form of relations; that is, whether relations consisted of resistance, negotiation, cooperation or compromise. Foreign policies were identified by whether they dealt with external relations. These policies then followed the same coding rules for domestic policies.

#### *Domestic Policies*

Since the FIS began as a political party and not as a resistance movement, its policies are primarily domestic. Therefore, its domestic policies will be examined before its policy on resistance. The FIS's domestic programme encompasses cultural,

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33 Hillenbrand, C. (1988), 'Islamic Orthodoxy or Realpolitik? Al-Ghazali's Views on Government', *Journal of the British Institute of Persian Studies*, XXVI, 81–94.

34 Novati and Bellucci, *supra* note 2.

educational, social, economic and political policies.<sup>35</sup> Cultural policies stem from the belief that evils plaguing democratic societies (such as AIDS, sexually transmitted diseases, degradation of morality, crime and corruption) need to be combated. While there are ways in which the government can help to prevent these cultural and societal ills, the primary means for preventing them is through Islamization from the bottom upwards. Specifically, it is teaching and the advocacy of moral reform. For society to be moral, it must conform to laws that are to be established by consensus.<sup>36</sup>

Moral reform is also accomplished through education. The educational policy is founded upon the belief that all people should be taught the broad principles of doctrine without differences, also rationalism, logic, ethics, history and all the sciences. Education is the foundation for the social, cultural and economic development of Algeria. Therefore, the FIS supported an increase in budgets and the extension of the school year.<sup>37</sup> Education also ensures social development.

The FIS, like many of the other groups examined in this book, had taken on a number of quasi-governmental roles, providing working-class neighbourhoods with effective local policing, affordable markets and a *de facto* welfare system. Its social infrastructure was built on the existing Islamist infrastructure developed over the years prior to Algeria's independence to the present. Even after its outlawing, the FIS continued to collect taxes from urban quarters and rural areas under their control.<sup>38</sup> This enabled it to continue providing socio-welfare benefits to society. Development of social welfare programmes separate from government institutions not only established a support base but also demonstrated its ability to govern in those areas.

Economically, the FIS was the strongest organization involved. This was due to it emerging during a time of economic crisis and the failure of governmental economic policies. During the election, it promoted a message of the critical planned economy being a source of oppression that retarded and discouraged private initiative.<sup>39</sup> Therefore, it advocated less state intervention; affirmed opposition to socialism; and supported privatization and reform of nationalized properties.<sup>40</sup> In industry, it promoted small and medium businesses, limited state intervention and foreign protection of the private sector. In the commercial sphere, it wanted the abolition of monopolies and their replacement with competition. Its economic programme was, therefore, based on capitalist principles of trade, industry and agriculture, and the development of entrepreneurial and private initiatives as sources of wealth.<sup>41</sup>

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35 Data for analysis in this section is derived from publicly available documents on *Lexis-Nexus*. Documents utilized included only those wherein a member of the group or the group itself were quoted. Additional information can also be obtained from <<http://www.fisweb.org/>>.

36 Hourani, *supra* note 14.

37 Layachi and Haireche, *supra* note 3.

38 Silverstein, P.A. (2002), 'An Excess of Truth: Violence, Conspiracy Theorizing and the Algerian War', *Anthropological Quarterly*, 75:4, 653.

39 Chhibber, *supra* note 13.

40 Hourani, *supra* note 14.

41 Layachi and Haireche, *supra* note 3.

Politically, FIS policy is premised on the beliefs of participation and negotiation.<sup>42</sup> Participation is based on the principle that a party voted into power may also be voted out.<sup>43</sup> It is derived from principles of consultation and acceptance (collective liability). Therefore, the thwarting of elections is equivalent to disturbance of God's will. Elections are a God-given blessing that ensures consensus, legitimacy and unity among the people. The latter is extremely important, which is why negotiation is vital. The FIS was and continues to be willing to enter constructive dialogue with the government. It believes that continued alienation further polarizes society.<sup>44</sup> The polarization of society is contrary to its ideology, which is premised on unity. This is also the reason that the FIS maintained a policy of non-resistance immediately following the Algerian government's cancellation of elections. It was not until the government's violent repression shortly thereafter that it had no choice but to resort to resistance.

### *Jihad, Resistance and Terrorism*

Jihad, or 'strive' in Arabic, is defined as exertion of an individual's power to spread belief in Allah and the making of His word.<sup>45</sup> It is a method in which one engages for the purpose of enjoining good and forbidding evil. The methods of enjoining good and forbidding evil are through the heart, tongue and hand. For Qutb and Mawdudi, performing jihad by the hand includes the use of violence. This is because they both defined it as revolutionary struggle and utmost exertion for the purpose of establishing a just and equitable social order among human beings.

For the FIS, combative Jihad was viewed as a religiously justified rebellion to reinstate the electoral results.<sup>46</sup> It remains justified as an instance of legitimate rebellion for as long as constitutional avenues are closed to it, but recognizes the need to distinguish between legitimate rebellion and illegitimate rebellion. Legitimate rebellion is that which is waged with the aim of securing a return to constitutional legitimacy. Illegitimate rebellion is that which is waged in order to secure the revolutionary overthrow of the state and the use of terrorism.<sup>47</sup>

Terrorism is defined by the FIS as the intentional use of violence against civilians and foreigners. It condemns the use of violence against such people and the destruction of public property.<sup>48</sup> All human life is to be spared except in the most extreme circumstances. The only legitimate targets under legitimate rebellion are those who are directly engaged in conflict such as the government, police and military. The use of violence by the FIS never included any attack on civilians. It was, until the ceasefire in 1997, limited to governmental and military targets. All

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42 *Supra* note 35.

43 Roberts, *supra* note 32.

44 Roberts, H. (1999). 'Algeria's Veiled Drama', *International Affairs*, 75:2, 383–92.

45 Al-Mawdudi, Sayyid Abul Ala, *Jihad fi Sabilillah [Jihad in Islam]*, (UKIM Dawah Centre).

46 Silverstein, *supra* note 38.

47 Roberts, *supra* note 32.

48 Roberts, *supra* note 44.



attacks against civilians were conducted by the Armed Islamic Group and other more militant groups that had no affiliation whatsoever with FIS.<sup>49</sup> Moreover, FIS issued communiqués and rulings on conduct that is permissible when waging combative jihad in order to differentiate itself from the more militant groups who were attacking civilians, foreigners, scholars, politicians, writers and journalists.<sup>50</sup>

### *Foreign Policy*

While the preceding discussed the domestic policies and policy of resistance, this sub-section examines the foreign policy of the FIS. Unlike some of the other groups examined in this book, the FIS does not have a well-established policy. This is largely because of its belief of containment rather than intervention. Like the Algerian government under the FLN, it is opposed to any role for outsiders in its internal affairs, whether by governments, the EU or non-governmental organizations.<sup>51</sup> A policy of non-intervention ensures that the FIS will not interfere in the domestic affairs of other states. It is, however, willing to work with others so long as it is for the general welfare of society.

### **The Means of Last Resort: Transition FIS-Style**

As previously stated, this book is concerned with the transition of resistance movement to political party; that is, it is concerned with those who have made the successful transition or those who are in the process thereof; those who made the transition and failed; those who have the potential to make the transition; and, finally, those who are never capable of making the transition. The FIS, however, is utterly unique because it was not a resistance movement that made the transition to political party. Rather, it was first a political party that made the transition to a quasi-resistance movement. It was the bloody coup and the banning of the FIS that resulted in its move to resistance.<sup>52</sup> This does not mean the FIS is irrelevant as a topic under investigation in this book. The FIS is most relevant because, through it, the identification of the characteristics that made it both a success and a failure as a political party can be identified. Finally, this section will conclude with policy recommendations for the FIS.

The FIS was a successful political party in that it possessed a political ideology, a well-defined political programme, had organization, structure and defined leadership, and possessed domestic and foreign policies. All of these provided a foundation for political growth and will aid it in its future. Political ideology is an important characteristic needed for transition because it provides unity internally and externally. It determines how a group views the world – internationally and regionally – and its relations thereto, as well as how to behave therein. Organizational

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49 Mounshipouri, *supra* note 11.

50 Wiktorowicz, *supra* note 28.

51 Lesser, I.O. (2001), 'Policy toward Algeria after a Decade of Isolation', *Mediterranean Quarterly*, 12:2, 8–21.

52 Tahi, *supra* note 12.

structure and leadership are extremely important characteristics. This is because an organization must have the capacity to expand and grow, yet still maintain order to prevent fragmentation. Fragmentation often results during power struggles between members of an organization or when there is lack of consensus regarding the goals and objectives. The development of policies, both domestic and foreign, enables a group to maintain its legitimacy within the environment in which it is operating. Furthermore, social and economic programmes are extremely important, more so than political, because they further legitimize the actor within the community-at-large.

The resulting question, then, is why the FIS failed. In the literature, there are two arguments as to why Algeria failed.<sup>53</sup> First, the incumbents were uncompromising and the challengers failed to signal credibly that they would not subvert the institutions once they came into power, which opened the window for a coup. In essence, the argument is that the transition failure was caused by the FLN's unwillingness to cede power. This argument is problematic, however. Many of the political elites within the FLN were willing to cede power and recognized FIS victory. It was the military that did not.

The second argument is that the FIS, which was controlled by moderates, was incapable of managing its internal contradictions and divisions.<sup>54</sup> During the transition process mainstream FIS membership condemned revolutionary discourse, suspended five prominent hard-liners from the Shura council, its executive body. Some were even expelled. The problem, however, was that during the election period, between first and second rounds, the movement oscillated between its two competing visions – one maximalist and the other minimalist, thus leading to the argument that the FIS failed to solve its commitment problem. This was problematic for the FIS.

As discussed in the section on the ideology of the FIS, the movement is comprised of two competing trends – one that is more moderate and encompasses the view of the majority, and the other which is more conservative in nature. In all groups, there are always ideological divisions. The problem, however, was in part the failure of FIS leadership to maintain an outward ideological consensus on democratic participation. Internal dissent is one thing, but a public display weakens the united front and can ultimately result in group fragmentation. In the case of the FIS, it did result in many of the more conservative elements breaking away and joining more militant groups such as the Armed Islamic Group.<sup>55</sup> Moreover, a public display of dissent weakens the group in the eyes of the public. This, however, is not the only factor which leads to its failure.

The ideological divisions that emerged following the first round of elections and the cancellation of the second was further confounded by the violent response of the Islamist movement at large to the government's undemocratic action of foiling

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53 Kalyvas, S.N. (2000), 'Commitment Problems in Emerging Democracies: The Case of Religious Parties', *Comparative Politics*, 32:4, 379–98.

54 *Id.*

55 Kalyvas, *supra* note 53.

FIS victory and its violent repression.<sup>56</sup> The government violently lashed out at all Islamists, making no distinction between the Islamicist groups, and engaged in a combative policy of uncompromising violence against all armed groups and their supporters. This was done despite FIS overtures toward compromise. The policy of the government resulted in only strengthening the more militant groups within Algeria.<sup>57</sup> Ultimately, the FIS had no other option but to take up resistance; it was publicly demanded. Therefore, the government's violent response is another factor in the failure of the FIS and not the movement's violent response to the former.

Another factor leading to its failure was the government's monopoly over the media. The media have always been a means of propaganda, an instrument of state control over public opinion and a weapon against internal and external struggle.<sup>58</sup> Until the 1988 riots, the press was owned and organized and its members chosen and paid by the central government. With the new constitution in 1989, the press was assured greater freedom, at least formally, as the law of April 1990 cancelled the state monopoly on information and process. The problem, however, was that the government maintained its monopoly over the supply of paper and information, thus indirectly controlling the media. Then, when the elections were cancelled the press was asked to defend the government's ideological and political positions.

The media are an important vehicle for the delivery of ideas, positions and policies. Without an outlet to deliver its message and to publicly fight the government in a war of words, the FIS suffered from internal and external legitimacy. Legitimacy is related to the problem of recognition. Since 1992, the Algerian government, like the French state 35 years prior, has consistently refused to recognize rebel forces as legitimate challenges or label the conflict as a war (civil or otherwise), representing instead the 'current situation' of violence through police and intelligence tropes, as a fiendish process of terrorist aggression perpetrated by criminal groups and cancerous people abroad – a national tragedy and conspiracy.<sup>59</sup> In the case of the FIS, this is not an accurate representation of them and is not the view of the majority of Algerian society. The problem, therefore, comes down to external recognition.

External recognition cannot be discounted. Many resistance groups have failed to make the successful transition to a political party because of this, despite having internal recognition. The latter is not sufficient alone because the world is interdependent. It is this factor that continues to prohibit the FIS from making a political come-back. Therefore, if the FIS intends to remake itself, it must work on the problem of external recognition. It can do so by further developing its foreign policy. In addition to foreign policy, the FIS must develop an internal mechanism to prevent a public display of dissent like that which occurred immediately following the cancellation of elections. In conclusion, the FIS demonstrates that the existence of characteristics such as political ideology and programme, organizational structure

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<sup>56</sup> *Id.*

<sup>57</sup> Wiktorowicz, *supra* note 28.

<sup>58</sup> Gafaiti, H. (1999), 'Power, Censorship, and the Press: The Case of Postcolonial Algeria', *Research in African Literatures*, 30:3, 51–61.

<sup>59</sup> Silverstein, P.A. (2005), 'The New Barbarians: Piracy and Terrorism on the North African Frontier', *The New Centennial Review*, 5:1, 179–212.

and leadership, and domestic and foreign policies are successful for a group to make the transition to a political party. FIS also demonstrates that the success of a political party is dependent on recognition, both internally and externally.

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## Chapter 8

# Failed Attempts: the Fuerzas Armadas Revolucionarias de Colombia (FARC) and the Union Patriótica (UP)

Anisseh Van Engeland

The FARC is not a horde, nor a man, nor a chieftain. The FARC is an organization with an organic structure and a hierarchy with political and military plans ... My struggle is part of a social struggle in which thousands participate and millions will take power.<sup>1</sup>

The kidnapping of the presidential candidate Ingrid Betancourt in February 2002 by the Fuerzas Armadas Revolucionarias de Colombia (FARC) and the numerous attempts to free her, by force or through negotiations, have made the headlines. Three US citizens, who are US Defense Department contractors, were also caught by FARC after their plane came down during a surveillance mission in February 2003. Hope was on the rise again as to their freedom when the re-elected President of Colombia, Alvaro Uribe, announced in 2006 he would resume talks for prisoners/hostages exchanges. However, the negotiations took an abrupt end after a bombing in Bogotá in October 2006.<sup>2</sup> In 2007 a hostage escaped after spending nine years held by the movement. More recently, President Chavez tried to act as an intermediary to have all FARC's prisoners released. However, it seems today that the Uribe government seems less inclined to engage in peace talks and seems ready to interfere violently to free the other hostages, despise the hostages' families' fears of a bloodbath.<sup>3</sup> The question remains as to how a peaceful solution can be found to the hostage crisis, knowing that it is difficult for a government to negotiate with a group that mixes violence and politics in order to rise to power. FARC has demonstrated in the past it cannot be trusted when it is given the opportunity to act as a political actor during negotiations and peace talks, as it has abused the situation. The successive Colombian governments have chosen a politics of repression of the movement that has also crushed all hopes of transformation of FARC into a political machine. What, therefore, are the prospects for peace in Colombia and how are they linked to FARC's insertion in political life?

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1 'Interview with Simon Trinidad', *El Tiempo*, 12 January 2005.

2 'Colombian leader ends Farc talks', BBC News, 20 October 2006.

3 'Betancourt held "chained by the neck"', CNN, 19 May 2007.

## Presentation of FARC

### *History of the Movement*

After the murder of Jorge Eliécer Gaitán in 1948, a dark period opened in Colombia. For many experts, his murder was the beginning of many of Colombia's problems.<sup>4</sup> His assassination caused riots throughout the country, violently repressed by the conservative government. There followed a period of eight years called 'La Violencia',<sup>5</sup> a civil war that killed 300,000 Colombians.<sup>6</sup> It also gave rise to new guerrilla movements such as FARC.

In 1953, the conservative government of Laureano Gómez was deposed by a coup led by General Gustavo Rojas Pinilla, who ruled as a dictatorial president. The Pinilla government offered amnesty to the guerrillas who had acted during the period of La Violencia;<sup>7</sup> some liberal guerrilla groups including communist groups refused to surrender. Instead, they went and hid in remote areas and established their own government, known as the Republic of Marquetalia.<sup>8</sup> According to 1958 US embassy sources and the military records on file at the US National Archives, one of the most influential groups was created by Dumar Aljure, whose background was not political but rather blurred,<sup>9</sup> as some accused him of being a bandit.<sup>10</sup> The growing influence of these groups remained pretty much ignored by the State until the Conservatives convinced the government of the value of an attack against the guerrillas.<sup>11</sup> In 1964, the Colombian army, backed up by the US, cleared up the zones where most guerrillas were hiding. Most of the survivors reunited elsewhere and later became the Fuerzas Armadas Revolucionarias de Colombia (FARC).<sup>12</sup> Jacobo Arenas and Manuel Marulanda,<sup>13</sup> both from a communist background, were two of the founders of the new guerrilla group and became its two top leaders.

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4 It is said that Gaitan was killed by the CIA, who did not want him to be elected and go on with his social reform that would have harmed the United Fruit Company's interests. All CIA archives regarding Gaitan were destroyed in 1972.

5 Wolf, P., 'La Violencia: Colombia's Liberal Conservative Civil War', at <<http://www.icdc.com/~paulwolf/colombia/laviolencia.htm#aljure>>, accessed 26 May 2007.

6 Sanchez, G. (1998), *Guerre et politique en Colombie* (Paris: L'Harmattan).

7 Wolf, *supra* note 5.

8 Roldan, M. (2002), *Blood and Fire: La Violencia in Antioquia, Colombia, 1946–1953* (Durham: Duke University Press).

9 Wolf, *supra* note 5.

10 Maullin, R. (1968), *The Fall of Dumar Aljure, a Colombian Guerrilla and Bandit* (California: Rand).

11 Legrand, C.C. (2003), 'The Colombian Crisis in Historical Perspective', *Canadian Journal of Latin American and Caribbean Studies*, 55, Spring.

12 Wolf, *supra* note 5.

13 'El viejo guerrillero y su delfín', *El Mundo*, 11 July 1998.

*The Movement*

FARC is today the oldest and largest guerrilla group in Colombia. Some have described it as the most dangerous Marxist guerrilla force in the world.<sup>14</sup> It has between 12,000 and 18,000 members;<sup>15</sup> 35 per cent of FARC are women and it is forbidden to discriminate against a woman as much as it is prohibited to use drugs.<sup>16</sup> The movement occupies 35–40 per cent of Colombia's territory (the south-eastern jungles and the plains at the base of the Andes Mountains). It is classified as a terrorist group by the US and the EU.

FARC works along strict regulations: there is the statute formulating the ideological platform, the structure and the obligations or rights of the combatants as well as the principle of the revolutionary organization; there are military regulations and internal rules of command to ensure discipline in all FARC units. The squad is the basic unit (12 combatants), the guerrilla is made up of two squads, a company is made up of two guerrillas, a column of two or more companies and a front is more than one column. Then there is the Central High Command and secretariats for each block consisting of at least five fronts.<sup>17</sup> The movement is led by Manuel Marulanda Vélez (his real name is Pedro Antonion Marín), also known as Tirofijo or 'Sureshot'.<sup>18</sup> He is the head of the secretariat together with seven other persons.

The movement mixes politics and violence; it had a political platform from the beginning but was also concerned with the survival of the movement in front of the Colombian people.<sup>19</sup> It is why FARC members began wearing uniforms and insignia and its leaders established a code with severe punishments for banditry, crimes of passion and informing.<sup>20</sup>

*Finances*

FARC needs a lot of money to sustain the movement, shelter its members and carry on its actions. If FARC soldiers live in the jungle with the bare minimum, money is still needed to keep the guerrilla going. It funds itself principally through extortion, kidnapping ransoms and participation in the *illegal drug trade*, from

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14 Larson, E.V., Eaton, D., Elrick, P., Karasik, T., Klein, R., Lingel, S., Nichipourk, B., Uy, R. and Zavadil, J. (2004), *Assuring Access in Key Strategic Regions: Toward a Long-Term Strategy* (California: Rand/Arroyo Center, report prepared for the US Army).

15 Rabasa, A. and Chalk, P. (2001), *Colombian Labyrinth: The Synergy of Drugs and Insurgency and Its Implications for Regional Stability* (California: Rand).

16 'Les femmes dans les FARC', *Le Monde Diplomatique*, at <<http://www.monde-diplomatique.fr/cahier/ameriquelatine/photofarcintro2>>, accessed 26 May 2007.

17 Arenas, J. (1972) *Diario de la resistencia de Marquetalia*. (Ediciones Abejón Mono).

18 Legrand, *supra* note 11.

19 FARC manifesto of May 1966, at <<http://www.farcep.org/>>, accessed 26 May 2007.

20 Maullin, R. (1971), *Soldiers, Guerrillas and Politics in Colombia* (California: Rand).



coca plant harvesting to drug-trade protection.<sup>21</sup> The drug trade is a very lucrative funding method but leads FARC to commit gross human rights violations: they massacre small communities in order to silence them and to intimidate those who do not support their activities. All businesses and companies operating in rural areas, including agricultural, oil, and mining interests, are required to pay taxes which ‘protect’ them from attacks and kidnappings.<sup>22</sup>

According to some experts, the financial strengthening of FARC through the drug market is also the ‘unintended consequence of a series of tactical successes in US antidrug policies’.<sup>23</sup> By attempting to dismantle the Medellin and Cali drug cartels and pressurizing the Colombian government to attack them, the US policy has pushed coca cultivation in the zone under FARC’s control. Consequently, FARC combatants are often called narco-terrorists. Indeed, drugs bring far more wealth to the movement than looting would; however this does not mean that the movement is a drug cartel itself. It is a movement using violence that needs money to finance its troops and actions.<sup>24</sup>

Eventually another source of funding is goods stolen by highways bandits: guerrilleros organize highway blockades to stop motorists and buses in order to steal jewellery and money.

### *Ideology*

FARC-EP (Fuerzas Armadas de Colombia-Ejército del Pueblo or Revolutionary Armed Forces of Colombia, People’s Army) was created as the military wing of the Colombian Communist Party. The FARC-EP has since officially broken from that political party. The ideology and the political aims of the FARC-EP were defined by Jacobo Arenas. He was the main organizer of the seventh Guerrilla Conference in 1982; it was he who established the ‘Strategic Plan’ outlining a series of goals and steps to organize FARC into the Army of People. The initial EP (Ejército del Pueblo) was adopted during that conference and underlines the social struggle led by the group. Arenas’s goal was for FARC to seize political power within a decade, with a combination of illegal and legal forms of struggle. That is what Marxists and Communists call ‘the combination of all forms of struggle’. This is why both the political and the military aspects of the group were developed.

Imperialism is a main enemy and FARC struggles against globalization. The US is perceived as an imperialist threat;<sup>25</sup> there is also an economic threat when the

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21 Wolf, P. (2006), ‘The Politics of the Farc Indictment: A “Secret Formula” Against Colombia’s Guerillas?’, World War 4 Report, 1 June 2006, at <<http://www.ww4report.com/node/2029>>, accessed 26 May 2007.

22 Mackenzie, E. (2005), *Les Farc ou l'échec d'un communisme de combat* (Paris: Publibook).

23 Peceny, M. (2006), ‘The FARC’s Best Friend: U.S. Antidrug Policies and the Deepening of Columbia’s Civil War in the 1990s’, *Latin American Politics & Society*, 48 (2) Summer, 95–116.

24 Livingstone, G. (2004), *Inside Colombia: Drugs, Democracy, and War* (New Brunswick: Rutgers University Press).

25 Arenas, *supra* note 17.

US invests in Colombia and when multinationals take over local businesses; so the fight extends to globalization. Eventually the political influence of the US on Latin America is also denounced. Regarding foreign relations, any country interfering with Colombia's internal affair is an 'enemy', others are 'friends'. The revolution is the only way to get control over the country as to avoid the US's influence or invasion.

Under the guidance of Arenas, FARC developed a policy of gender equality.<sup>26</sup> FARC also believes in people's education and the movement has courses for its combatants.<sup>27</sup> Jacobo Arenas focused on anthropology (the evolution of man from a Marxist perspective) to give the fighters guidelines for proper socialist behaviour and to prepare them to be good citizens of a future communist world. The FARC schools offer level grades.

Jacobo Arenas played an essential role in setting up the political and war ideology. He was the heart and mind of the movement. The fact that the leader of FARC, Manuel Marulanda Vélez, comes from a very poor background might explain why the movement was from the beginning oriented to help the poorest. Arenas had, by contrast, a strong educational background like most communist ideologues. He used communism to build the internal structure of FARC. Critics of the FARC-EP often suggest that the group's methods have discredited its original goals and ideology.

### *The Military Aspect*

FARC is organized like an army.<sup>28</sup> Its soldiers are used to fight in rural areas as well as urban fronts. It has insisted in 1982, after the Seventh Conference, on the fact that it has progressed from guerrilla warfare to conventional military action outlined on that occasion.<sup>29</sup> FARC seems to be 'better armed, equipped, and trained than the Colombian armed forces'.<sup>30</sup> Manuel Marulanda is a veteran guerrilla fighter and establishes the strategies. He is an excellent commander-in-chief and has established discipline among his guerrilleros. He has been taking care of the military aspect of FARC for four decades and has turned his fighters into very efficient soldiers. Arenas worked hard on training the guerrillas, dressing them differently, assuring ranks and badges, and on using new weapons to meet the international requirements of a state of belligerence that exists in the Geneva Conventions. Jacobo Arenas had a strong interest in international law, especially war law. FARC has its own loose interpretations of international humanitarian law.<sup>31</sup> It frequently recruits children as

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<sup>26</sup> *Id.*

<sup>27</sup> *Id.*

<sup>28</sup> Rabasa and Chalk, *supra* note 15; McDermott, J. (2002), 'FARC Gives Notice of an Urban Campaign', *Jane's Intelligence Review*, September, 24–5.

<sup>29</sup> 'Las FARC: 30 años de lucha por la paz, democracia y soberanía', 2000, at <[http://www.tierra.ucsd.edu/farc-ep/Nuestra\\_historia](http://www.tierra.ucsd.edu/farc-ep/Nuestra_historia)>, accessed 26 May 2007.

<sup>30</sup> Wolf, *supra* note 5.

<sup>31</sup> Ferro, J. and Uribe, G. (2003), *El orden de la guerra. Las FARC-EP: Entre la organización y la política* (Bogotá: Centro Editorial Javeriano, Universidad Javeriana de Bogotá).

soldiers and informants as well as to pillage banks.<sup>32</sup> An estimated 20–30 per cent of FARC combatants are under 18 years old;<sup>33</sup> these children are recruited by force.

The FARC-EP is responsible for many of the kidnappings in Colombia. They usually target wealthy people, foreign tourists, foreign entrepreneurs, prominent international intellectuals and domestic officials. They have also kidnapped people from lower social classes such as policemen, in particular when they are thought to be collaborators or relatives of FARC's enemies. The FARC-EP has demanded the exchange of FARC hostages against prisoners.

### *Attacks*

The FARC-EP has employed vehicle bombings, gas cylinder bombs, killings, landmines, kidnapping, extortion and hijacking, as well as guerrilla and conventional military action against Colombian political, military and economic targets; it usually attacks those it considers a threat or hostile to its movement. Civilians have been the first victims of these actions; they are displaced or killed during these actions. Therefore FARC is often denounced by human rights institutions and organizations for being a massive human rights violator.<sup>34</sup> Human Rights Watch considers that 'FARC-EP's continued use of gas cylinder bombs shows this armed group's flagrant disregard for lives of civilians: gas cylinder bombs are impossible to aim with accuracy and, as a result, frequently strike civilian objects and cause avoidable civilian casualties'.<sup>35</sup>

## **FARC and Politics**

### *A Communist Group with a Political Programme*

The FARC-EP has proclaimed itself a politico-military Marxist-Leninist organization of *Bolivarian* inspiration.<sup>36</sup> Its political platform rests essentially on social justice: it claims to represent the rural poor against Colombia's wealthy classes; it opposes the

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32 Human Rights Watch (2005), 'Armed Groups send Children to War: The UN Security Council to Discuss Colombia's Child Soldiers', press release (New York, HRW), 22 February.

33 Human Rights Watch (2003), '“You'll Learn Not To Cry”: Child Combatants in Colombia', New York, HRW, at <<http://www.hrw.org/reports/2003/colombia0903/index.htm>>.

34 Commission on Human Rights, *Report of the High Commissioner for Human Rights on the Situation of Human Rights in Colombia*, 61st session, E/CN.4/2005/10, 28 February 2005, at <[http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/Informe2004\\_eng.pdf](http://www.hchr.org.co/documentoseinformes/informes/altocomisionado/Informe2004_eng.pdf)>, accessed 26 May 2007.

35 Human Rights Watch (2005), 'More Farc Killings with Gas Cylinder Bombs: Atrocities Target Indigenous Groups', press release (Washington DC: HRW), 15 April.

36 Rodrigues, M.U. (2004), 'Las FARC reafirman la opción comunista y responden a campanas difamatorias: Entrevista con el comandante Ricardo González, del Estado Mayor Central de las FARC-EP', *Avante*, 7 April 2004, at <<http://www.rebellion.org/plancolombia/040407urbano.htm>>, accessed 26 May 2007.

US influence in Colombia; it struggles against *privatization* of natural resources and *multinational* corporations; and eventually it fights against *paramilitary* violence. The FARC-EP aims at seizing the political power in Colombia through an armed revolution so as to establish a socialist state.

The political doctrine of FARC is the result of Jacobo Arenas's work. His aim was for the movement to rise to power and free society from social and economic inequalities. Peasants are therefore the forefront of FARC's political discourse. Women are also a main focus as Arenas believed they would be main actors in the revolution and the changes.<sup>37</sup>

In 1982, FARC presented a 'Strategic Plan' that outlined its political aims: it established FARC as the army of the people, an army fighting for the good of the people. The main idea was therefore to seize power by force, combining legal and illegal forms of struggle as to establish a socialist state. Therefore the use of violence was never an issue for FARC. The political programme also includes peace, as the FARC-EP says it remains open to a negotiated solution to the country's conflict, through a dialogue with pre-conditions, such as the demilitarization of locations and the release of all jailed and extradited FARC rebels.

### *Union Patriótica (UP)*

FARC played a direct political role at the beginning of its existence when it was created as the military wing of the Colombian Communist Party. It later created a political structure called the Clandestine Colombian Communist Party. It is with creation of Union Patriótica (UP) that FARC officially had a political wing.

The terms of the 1984 La Uribe agreement consolidating a ceasefire signed between the Belisario Betancur government and FARC gave birth to the UP.<sup>38</sup> The agreement required of FARC to put an end to kidnappings and terrorism, and to adapt to political life. The UP was therefore created in May 1985 as the political wing of FARC and as a token of peace.<sup>39</sup> Jacobo Arenas was one of the creators of the UP. Although FARC refused to disarm, UP was supposed to demonstrate its willingness to keep the ceasefire and the peace talks going. It was also an opportunity for FARC to take another path and re-invent itself. Early members of UP were FARC members and members of the Colombian Communist Party. The Communist Party (PCC) tried to take over the leadership of the UP but FARC held tight, saying the existence of the UP was a token of trust for negotiations. The PCC members left the UP later in the nineties.

The UP had strong political leaders who wanted to be presidential candidates. Jacobo Arenas ran as UP's presidential candidate in 1986 while still remaining an active member of FARC. The aim of the UP was therefore to seize power legally; it also enforced the creed of FARC according to which power was to be seized through

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<sup>37</sup> Arenas, *supra* note 17.

<sup>38</sup> Glesier, P. 2002, 'Analysis of the Peace Process between the Colombian Government and the FARC', LL.M paper, Harvard Law School library.

<sup>39</sup> Castro, I.C. and Ortiz C.G. (2005), 'Vie et mort de l'Union Patriotique: comment des milliers de militants not été liquidés en Colombie', *Le Monde Diplomatique*, May, 26-7.

violence and through politics. The leftist political party was publicly acknowledged in 1986. The blurring of the two movements did not hamper the development of the UP.

*The UP's Links with FARC: the Use and Misuse of a Political Party by FARC*

One of the advantages of having a legitimate political party was access to the media. Thanks to the UP, FARC could present a legitimate face to the world, and it could use to propagate its ideas. However, the UP grew more independent and gathered all kind of leftists that saw in the UP the medium to realize their political platforms. The party reunited some of the most brilliant political minds of the Colombian left, intellectuals, progressives, social activists and members of guerrilla movements. The members tried to distinguish UP from FARC terrorist acts and underlined the conflicts that existed between FARC and UP members. Simultaneously, UP members linked to FARC were facing moral challenges as they had to justify extreme violence and terrorist acts carried out by FARC. The UP was therefore used and misused by all kind of people.

Despite this, the political party had motivated political leaders and achieved some political successes and it quickly won seats in local, municipal and departmental assemblies. The UP's presidential candidate was third in the elections in 1986. However this success was tarnished by accusations: it was said that FARC had employed tactics such as kidnapping, extortion and assassinations to intimidate some voters in its areas of influence. Individual UP members were also accused of providing intelligence and material assistance to FARC fighters. There were soon other issues: in places where the UP was elected, FARC was free to go on with its illegal activities.

Some say the UP was doomed from the beginning: its links to a terrorist group using extreme violence condemned it. In addition, FARC leaders perceived the political group to be a clandestine party cell used to recruit, to make up propaganda and to distribute ideological leaflets.<sup>40</sup> FARC wanted to have a new form of army structure.<sup>41</sup> It was not the only terrorist group to attempt to divert a political party from its original purpose. Many scholars think that most terrorist groups who have turned to political activity actually have a hidden goal.

*The Political Ideology of the UP*

FARC's ideological roots influenced the UP: UP members were Marxists while the political programme talked about democracy and the enforcement of the rule of law. The political campaigns and platforms were very much like the ones of Hezbollah and Hamas: the fight against poverty was the priority, social actions came first and

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40 Mackenzie, *supra* note 22.

41 Dudley, S. (2006), *Walking Ghosts: Murder and Guerrilla Politics in Colombia* (London: Routledge).

there was a strong ideological background. The UP represented peasants who had been robbed of their land by a privileged social class.<sup>42</sup>

### *The End of the UP*

FARC and the UP were assimilated despite all the efforts of independent thinkers among UP membership. Besides, it was clear the UP covered FARC whenever it could. FARC killed any UP members who disagreed with its actions and stood in its way. However, it is not the movement-hybrid actions and stances that caused the end of the political experience of FARC. The flirt with politics as a way to power did not last long: the UP was decimated by right-wing death squads, sponsored by drug traffickers, drug lords, paramilitaries and the government security forces.<sup>43</sup> It is said that 3,000 UP members perished in the ‘dirty war’, murdered by these groups, including the 1990 UP presidential candidate, Bernardo Jaramillo Ossa.<sup>44</sup> Therefore the political option was no more and FARC opted again for the stronger method: violence. FARC understood then that the government had only one aim: to disarm FARC without resolving the real issues.<sup>45</sup>

The chance given to other terrorist movements to turn themselves into political parties was denied by the government, which nourished the feud instead of trying to use the UP as a peace token. The government’s justification for the attacks was that the UP was nothing but FARC in disguise. The extermination was long and very cruel and was a tragedy for any democracy.<sup>46</sup> These murders radicalized FARC, which felt legitimized in its actions: FARC officially interpreted the UP’s extermination as a sign of the government’s intolerance and of the impossibility of legal political action in Colombia.<sup>47</sup> A serious chance for peace, such as that witnessed in Lebanon and Northern Ireland, was therefore lost. The party declined in the mid-1980s and eventually disappeared. After September 2002, the UP no longer had a formal or even a legal status as a political party. The surviving members of the party later joined the Social and Political Front party coalition.

The Colombian human rights non-governmental organization Reiniciar has been working within the structures of the Inter-American Commission on Human Rights of the Organization of American States to classify the extermination of the UP as

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42 White, R.E. (2000), ‘Shooting up Colombia: US Aid will do more Harm than Good’, 6 October, *Commonweal Magazine*, at <<http://www.ciponline.org/colombia/102301.htm>>, accessed 26 May 2007.

43 ‘Colombia’s Most Powerful Rebels’, BBC News, 19 September 2003; Human Rights Watch (2003), ‘Colombia: Paramilitary Television Broadcast a “Travesty”’, 25 November.

44 Murillo, M. (2004), *Colombia and the United States: War, Unrest and Destabilization* (New York: Seven Stories Press).

45 *Id.*

46 Castro and Ortiz, *supra* note 39.

47 FARC, ‘The Illegality of “Legal Opposition” in Colombia’, at <[http://www.farcep.org/pagina\\_ingles/](http://www.farcep.org/pagina_ingles/)>, accessed 27 May 2007.

genocide.<sup>48</sup> But the government feels it has complete impunity and thus benefits from the blurring of the image of the conflict and the actors in the conflict.<sup>49</sup>

## The End of Political Aspirations

### *The Failure in Politics, a Justification for the Killings?*

The UP experience left a bitter taste. The dirty war against the UP led FARC to increase its focus on violence instead of political strategy.<sup>50</sup> Some go as far as qualifying FARC as a genocide survivor.<sup>51</sup> Some survivors of the UP period have joined the FARC movement, such as Simon Trinidad who decided to join the armed struggle after the UP's extermination.<sup>52</sup>

After 9/11, the government of Colombia began calling FARC the 'Talibanes' or 'Bin Ladenes'. This despising attitude and the eradication of the UP made any political solution impossible.<sup>53</sup> Soon the war on drugs was included on the War on Terror and the civil war in Colombia took another turn.<sup>54</sup> FARC was designated by US politicians as an international threat despite the fact that the movement activities are located only in Colombia (with some incursions into Venezuela, considered as a safe heaven). For example, soon after 9/11, Democratic Senator Bob Graham of Florida said:

The FARC are doing the same thing as global level terrorists, that is organizing in small cells that don't have contact with each other and depend on a central command to organize attacks, in terms of logistics and finance. It is the same style of operation as Bin Laden.<sup>55</sup>

US Secretary of State Colin Powell told the Senate Foreign Relations Committee that FARC belongs in the same category as Al-Qaeda: 'There is no difficulty in identifying [Osama bin Laden] as a terrorist and getting everybody to rally against him. Now, there are other organizations that probably meet a similar standard. The FARC in Colombia comes to mind'.<sup>56</sup>

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48 Ospina H.C. (2003), 'Un mariage de convenance sanguinaire: les paramilitaires au cœur du terrorisme d'état colombien', *Le Monde Diplomatique*, April 2003, 10–11.

49 Castro and Ortiz, *supra* note 39.

50 Murillo, *supra* note 44.

51 Poggi, N.M. (2006), 'Le dilemme de Dieterich', 6 January, at <[http://bellacio.org/fr/article.php3?id\\_article=27716](http://bellacio.org/fr/article.php3?id_article=27716)>, accessed 16 May 2007.

52 *Id.*

53 Murillo, *supra* note 44.

54 Vaicius, I. and Isacson, A. (2003), 'The "War on Drugs" meets the "War on Terror"', February 2003, International Policy Report, The Center for International Policy – Colombia's Program, at <<http://www.ciponline.org/colombia/0302ipr.htm>>, accessed 27 May 2007.

55 Leech, G. (2006), 'Who Are the Real Terrorists in Colombia?', 20 February, *Columbia Journal Online*, at <<http://www.colombiajournal.org/colombia229.htm>>, accessed 27 May 2007.

56 Wright, J. (2001), 'Powell Sees "Gray Areas" in Defining Terrorism', Reuters, 25 October.

FARC never had an international project or attempted to attack other countries. Nevertheless, it plays a role in international security as it sells arms to other terrorist groups in the world. In addition, since its political failure, it has come back to the military way and when it stated that mayors, councillors, governors and public functionaries are military objectives, they make it clear that all means are available.<sup>57</sup> The injustice of which the UP was victim does not justify such an indiscriminate targeting of civilians.<sup>58</sup>

In an interview with a French journal, Joaquim Gomez and Raul Reyes concluded that all political experiences were useless in Colombia's framework:<sup>59</sup> 'In Colombia, one can only oppose the system if this opposition does not constitute a threat for the power ... anyone who wants to go further does not stand a chance'.<sup>60</sup> They confirmed that the armed struggle would end when the expected reforms actually took place. The two leaders also explained that FARC had no possibility of preventing or stopping the drug trade in their zones because of the social and economic crisis. Only a governmental policy taking these factors into account would eradicate the drug trade. The political option was dead as far as FARC was concerned.

#### *Is FARC a Terrorist Movement?*

FARC describes itself as a non-state actor. Looking at the technique used and the actions gives us a clue as to whether FARC is a terrorist group or a movement fighting for self-determination. Despite the political struggle, the communist ideology and the guerrilla, FARC appears nowadays more like a terrorist group than a group fighting for a political aim: FARC has become more renowned more for its drug trade and its massacres than for its political discourse. This might be why it is so difficult for the group to disarm and become a real political movement, notwithstanding the risk of being eliminated as members of the UP were. The drug activities led by FARC hampered its political redemption; besides, the conflict has lasted for so long and parties are so engulfed into it that FARC has lost sight of its social and economic ambitions; it has declined so many offers to negotiate and has acted in such a way that peace negotiations have become impossible; eventually, the deliberate targeting and massacre of people has turned the movement into a killing machine. All this has led experts to call FARC a terrorist group, a narco-terrorist group or an illegal self-defence group.<sup>61</sup>

#### *A Political Legitimacy to Negotiate Peace Agreements?*

During the peace talks that lasted from 1999 to 2002, the Pastrana government accepted the FARC condition of a demilitarized zone of 40,000 square kilometres,

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57 Murillo, *supra* note 44.

58 *Id.*

59 Bourgeteau, S. (2000), 'Colombie: la dernière guérilla ? Entretien avec Joaquim Gomez and Raul Reyes', *Politique Internationale*, 87, Spring.

60 *Id.*

61 Rabasa and Chalk, *supra* note 15.



consisting of five municipalities centred on San Vicente del Caguán, to organize the peace talks.<sup>62</sup> FARC was granted the title of ‘political actor’ during the negotiation and abused it: it had control over the area, as most of the government’s local representatives left. Critics accused FARC of equipping, training and organizing its troops for war within the zone, as well as using the zone for the drug trade.<sup>63</sup> Peace negotiations were held without a permanent ceasefire; nevertheless open violence was reduced. However, armed clashes and kidnappings happened and created tensions between the negotiators. Peace talks finally ended in February 2002 when FARC hijacked an airplane in order to take a congressman hostage, an act which led to Pastrana declaring the end of the negotiations and the return to a full state of war. The armed forces were ordered to start retaking FARC-controlled zone.

There have been talks of peace since, especially since President Uribe came to power. The key to these peace talks are the exchange between FARC’s hostages and the FARC prisoners in the governmental prisons. However, President Uribe and FARC seem to disagree on the conditions for a dialogue.<sup>64</sup> Such negotiations would however be a good opportunity for FARC to begin a new career in politics. Despite the fact that FARC is not a political actor as such, it still plays a role in politics.

#### *Drug and Hostages as Political Instruments?*

The government accused FARC of playing politics with the lives of hostages.<sup>65</sup> Indeed, FARC used hostages as tools to prevent President Uribe from being elected in 2002 and 2006. Nowadays, it uses hostages as money of exchange to enter peace talks. Therefore, the movement tries to influence the country’s politics by taking hostages.

FARC also tries through its actions and discourse to influence the outcome of elections: in 1998, it helped Andres Pastrana to get elected by saying it could reach a peace agreement with him.<sup>66</sup> So the peace flag was waved. In the 2006 presidential elections, FARC did not want Uribe to be re-elected. It tried to demonstrate that his national security policy was a failure: FARC killed soldiers, policemen and civilians. It even stopped all traffic on main roads in 11 regions for weeks.<sup>67</sup>

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62 Blanquer, J.M. (2001), ‘Après le “Plan Colombia” ’, *Politique Internationale*, 92, Summer.

63 *Id.*

64 ‘Farc wants Colombia peace talks’, BBC News, 24 June 2006.

65 ‘Colombia says FARC playing politics with hostages’, *La Prensa*, September 2006.

66 *Id.*

67 Carrigan, A. 2006, ‘Colombia’s Testing Time’, *Open Democracy*, 29 March, at <[http://www.opendemocracy.net/democracy-protest/colombia\\_3403.jsp](http://www.opendemocracy.net/democracy-protest/colombia_3403.jsp)>, accessed 27 May 2007.

## What Prospects of Peace Without a Political Party to Negotiate?

### *The Influence of FARC on Colombia's Political Life*

The attempt of creating a political party to represent FARC on the political scene was a long-awaited opportunity to have a formal and a politically legitimate group sitting at the negotiation table. This hope was broken by the elimination of UP politicians. However, FARC still plays a very active role in politics. Seizing power remains its creed and the movement grabs any opportunity to interfere in Colombian political affairs. The objective is to dismantle state structures and replace them in the end with a socialist state.<sup>68</sup> This illustrates how FARC still plays a role in politics without being a political party integrated into Colombian political life.

Is there still an opportunity for FARC to play a role in politics as a real political actor elected in assemblies and to increase chances for peace? Indeed, establishing peace in Colombia depends very much on a successful transition of all guerrilla groups and paramilitary groups into political actors.

### *A New Departure in Politics?*

When it comes to politics, FARC has been accused of being autistic or hermetic.<sup>69</sup> This is of course explained by the UP's failure but also by the strategy of violence adopted by the movement. The consequence is that nowadays FARC is more known for its hostage-taking and its drug activities than for its Marxist political programme. Besides, FARC seems to perpetually act against its own political interests by acting in bad faith during peace negotiations. Instead of coming out reinforced from these peace negotiations attempts, it always requests impossible conditions to the dialogue to take place and often ruins the negotiations.

Reality seems to have caught with FARC: the US has included it in the War on Terror Program. The Uribe government has a tougher stance against all armed non-state actors in the country. Eventually, FARC has very little support amidst the population and has troubles getting its political message through. In 2006, it declared: 'The FARC aren't anti-election ... What happens is that the FARC analyses the moment in which to participate in elections, under what conditions and concrete purposes'.<sup>70</sup> This was a change from prior behaviour of the movement: the movement declared it could one day participate in elections. It might be that the movement realizes it is time to turn to politics for a new beginning. It perhaps realizes that, as Castro once underlined, the time for armed struggle has ended.<sup>71</sup> There was also a study in 2004 that clearly demonstrated that violence has a negative impact on

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68 De Vos, P. (2002), 'Nouvelle offensive politique des Farc', translation and summary of a pamphlet issued by the Direction of the FARC, 9 July, see <[http://www.solidaire.org/international/article.phtml?section=A1AAABBQ&object\\_id=14490](http://www.solidaire.org/international/article.phtml?section=A1AAABBQ&object_id=14490)>.

69 Isacson, A. (2006), 'Has the FARC rediscovered politics? Does it matter?' 3 July, at <<http://www.ciponline.org/colombia/blog/archives/000280.htm>>, accessed 26 May 2007.

70 Raúl Reyes in Isacson, *supra* note 69.

71 Bourgeteau, *supra* note 59.

votes.<sup>72</sup> Indeed, FARC's methods of disruption during the 2002 presidential elections were counterproductive.<sup>73</sup> Consistent targeting of councilmen since 2002, including the murder of nine in Rivera (Huila) on 27 February, most probably contributed to this.<sup>74</sup> The blockades organized in Southern Putumayo and Eastern Arauca provinces, as well as the attacks against drug eradication brigades, increased the pro-Uribe vote in those regions.<sup>75</sup> Uribe played on that to polarize the campaign. For example, he attacked his main opponent, Gaviria, by calling him a representative of 'disguised communism' and of FARC.<sup>76</sup>

There are debates today within FARC as some suggest that it is time for peace and politics. For example, Paul Reyes has declared that FARC called all citizens to vote in the local and regional elections, which was a radical change.<sup>77</sup>

## In Conclusion

The demobilization, disarmament and reinsertion of FARC fighters and all other armed groups remains a priority for the Uribe government.<sup>78</sup> It is also fair to say that FARC has only a future in politics if it really wishes to represent the peasants' interests instead of being a drug trafficker. Entering the institutional path is a serious dilemma for the movement, but transformation has worked in other places such as Bolivia in 1952, where revolutionaries seized the power thanks to the polls. If FARC really wishes to have an impact, politics remains the only option.

FARC does not seem to talk in unison as some combatants are more ready to disarm and turn to politics than others. There is a small group of leaders fascinated by the power and money brought by the drug trade who will not disarm, and this reminds one of the IRA situation. The advocates of a peaceful solution and of political activities created in 2000 the Bolivarian Movement for a new Colombia (*Movimiento bolivariano por la nueva Colombia*, or MBNC) under the leadership of one of the

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72 Ceballos, M. and Hoyos, D. (2004), 'Tendencias del comportamiento electoral y descentralización en los municipios de Colombia, 1988-2000', *Crisis States Working Papers*, 57 (London: Crisis States Research Centre, London School of Economics), 29; Hoskin, G. and García, M. 'Participación política y guerra en Colombia. Un análisis de las elecciones de 2002', in G. Hoskin (ed.) (2003), *Colombia 2002. Elecciones, comportamiento electoral y democracia* (Bogotá: Universidad de los Andes), 223–62.

73 Commission on Human Rights (2005), *Report of the High Commissioner for Human Rights on the Situation of Human Rights in Colombia*, 61st session, E/CN.4/2005/10, 28 February.

74 Between January and March 2006, 16 councilmen were killed: 'Indicadores sobre derechos humanos y DIH en Colombia', Observatorio de los Derechos Humanos en Colombia, January–March 2006; 'Perdieron las FARC', *Semana Online*, 16 March 2006, at <[http://www.terra.com.co/elecciones\\_2006/reportaje/17-03-2006/nota277856.html](http://www.terra.com.co/elecciones_2006/reportaje/17-03-2006/nota277856.html)>.

75 International Crisis Group (2006), *Uribe's Re-Elections: Can the EU help Colombia Develop a more Balanced Peace Strategy?*, ICG, Latin America Report no. 17, 8 June.

76 'El comunismo disfrazado lo único que hace es repartir pobreza', Servicio de Noticias del Estado, 5 May 2006.

77 Lozano, C. (2006), 'Les Farc prennent un virage', *Voz*, 4 July.

78 International Crisis Group, *supra* note 75.

FARC ideologues, Alfonso Cano. At the time, Manuel Marulanda declared: 'Our movement will remain clandestine until new political conditions allow us to act with the same guarantees traditional parties have to elect authentic representatives of the people during popular assemblies organized in the cities and the campaigns'.<sup>79</sup> This clearly refers to the UP experience. The challenge today is to transform FARC into a clean political organization or to create a new political party that would stay away from FARC's drugs traffic and other criminal activities. Indeed, a political party wishing to strive for democracy and the rule of law cannot be dirtied by terrorism and criminality. FARC today needs new structures.

At this point, it is interesting to raise the following questions: are terrorist groups political in nature? We have seen that the ANC, Hezbollah, ETA and the IRA were characterized by a strong political background, and so was FARC at its beginnings. There is a trend seeking to depoliticize terrorist groups so as to focus on the individual and the psychological motivation of terrorists.<sup>80</sup> Anarchists would fit in that description. However, most terrorist groups analysed here, except for Al Qaeda, have a political platform and political origins.

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79 Jarry, I. (2002), 'Colombia: le Présidence de tous les dangers', *Politique Internationale*, 97, Fall.

80 Crayton, J. (1983), 'Terrorism and the Psychology of the Self', in L. Freedman and J. Alexanders (eds), *Perspectives on Terrorism* (Willmington: Scholarly Resources), 33–41.

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## Chapter 9

# Transition in the Philippines: the Moro National Liberation Front (MNLF), the Moro Islamic Liberation Front (MILF) and Abu Sayyaf's Group (ASG)

Rachael M. Rudolph

Islam first entered the Philippines in the fourteenth century (CE) in the areas of Mindanao and Sulu via their seaports. Through trade and missionaries travelling with Muslim merchants, Islam finally spread to the rest of the territory by the fifteenth century.<sup>1</sup> The majority of Muslims in the Philippines are Sufi. Sufism, the mysticism of Sunni Islam, emerged from the Middle East in the eighth century.<sup>2</sup> As a whole, it encompasses a diverse range of beliefs and practices dedicated to Allah, divine love, and the cultivation of the heart through personal experiences rather than current events. Sufis seek to go back to the spirit of Islam to obtain equality and simplicity. The Islamization of the Philippines, prior to Spanish colonization, introduced new laws, ethical standards, and meaning and direction in life. Through this, Muslims in the Philippines developed the consciousness of belonging to a wider community.<sup>3</sup>

Prior to Spanish colonization, there were three Muslim sultanates in the southern region, which were held together by Islamic economic, political and social institutions.<sup>4</sup> Although the Spanish were never able to conquer the Southern region, their invasion resulted in the division of the people into two categories – the Moros and the Filipinos. The classification of the latter was reserved for those supportive and subservient to Spain. Moro, on the other hand, was reserved for both Muslims and those who rebelled against colonization. Despite the imposed bifurcated classification system, the conflict today continues to be divided accordingly.

As the Moros fought with the colonizers, modern Philippine resistance movements fight with the Philippine government of today for the establishment of an independent, sovereign nation in Muslim Mindanao. This chapter, therefore, seeks to examine modern resistance movements in Muslim Mindanao. In so doing, it will examine

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1 Lapidus, I. M. (2002), *A History of Islamic Societies* (Cambridge: Cambridge University Press).

2 Armstrong, K. (2000), *Islam* (New York: Random House).

3 Majul, C.A. (1999), *Muslims in the Philippines: A Historical Perspective* (Philippines: University of the Philippines Press).

4 Majul, *supra* note 3.

the two largest movements and the most dangerous – the Moro National Liberation Front (MNLF), the Moro Islamic Liberation Front (MILF), and Abu Sayyaf's Group in the Philippines (ASG) respectively. The first two – MNLF and MILF – originated from the Mindanao/Muslim Independence Movement (MIM). MIM was created in the early 1960s but it quickly faded away with the defection of many its leaders to the government. Abu Sayyaf, on the other hand, has its origins in both MNLF and MILF. All of these groups, however, are leaders of resistance in Muslim Mindanao, with one making the transition to a political party, another that is in the process, and another that, in the way distant future, could potentially make the transition.

### **The Moro National Liberation Front (MNLF)**

In the late 1960s, a new and different type of movement appeared. It was the Moro National Liberation Front (MNLF), which was comprised of Muslim students from the university in Manila and abroad. These students sought to challenge both government rule and the traditional Muslim leadership in Mindanao and Sulu.<sup>5</sup> Despite its birth in the late 1960s, the MNLF did not take up armed resistance until 11 November 1972, following the declaration of martial law. The students of the MNLF sought to lead resistance for the purpose of attaining an independent state in Muslim Mindanao.

One year later, after taking up arms, the MNLF relinquished calls for an independent Muslim Mindanao. It sought the withdrawal of government troops in Southern Philippines, a return of lands taken away from the Moros, more autonomy and the ability to implement Islamic law in Muslim-dominated areas.<sup>6</sup> The change in the MNLF's goals and behaviour was due in large part to loss of military strength. After heavy battling, many soldiers began surrendering from 1973 onwards, with the heaviest desertions occurring by the end of 1975.<sup>7</sup> Other reasons for its change included ideological and political problems. The MNLF's ideological mobilization relied on a weak form of Islamic nationalism, coupled with a political programme demanding succession. While the loose ideological basis connected the traditional *datu* (tribal) elites and young intellectuals, it enhanced divisions along ethnic lines. Consequently, the MNLF was never able to provide strong ideological direction, which resulted in the group fragmenting in 1977. Traditional leaders returned to the fold of law and others to the establishment of a more Islamic-oriented organization, the Moro Islamic Liberation Front.<sup>8</sup>

Although the goals changed, the struggle was successful because by 1975, the Manila government's political machinery ceased to function in Moro-controlled Mindanao and Sulu. This, coupled with heavy losses and weariness among many

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5 Frake, C.O. (1998), 'Abu Sayyaf: Displays of Violence and the Proliferation of Contested Identities among Philippine Muslims', *American Anthropologists*, 100:1, 41–54.

6 Bertrand, J. (1999), 'Peace and Conflict in the Southern Philippines: Why the 1996 Peace Agreement is Fragile', *Pacific Affairs*, 37–54.

7 *Id.*

8 Bertrand, *supra* note 6.

MNLF soldiers, resulted in the declaration of a ceasefire on 26 December 1976.<sup>9</sup> The ceasefire was declared in three provinces and ten cities, which were proposed autonomous areas in the Tripoli Agreement. Although it was never fully implemented, the Agreement itself resulted in the recognition of the MNLF by the government as the voice of the people. The problem is that the MNLF was never truly the voice of the people outside the ethnic group of the Tausugs.<sup>10</sup> It did seek political support from the traditional *datus* (tribes), but the MNLF never had mass ideological support. The masses supported resistance, regardless of who led it, because they saw it as protection from the Philippine army. Due to this lack of support, the MNLF attempted to retain political ascendancy through peace in August 1996, which was in actuality the implementation of the Tripoli Agreement.<sup>11</sup>

### *Policies of the MNLF*

As was previously mentioned, the MNLF is a political organization dominated ethnically by Tausugs that is politically secular in nature.<sup>12</sup> In order to understand its policy, the MNLF's political ideology must be examined.<sup>13</sup> Nur Misuari, who headed the MNLF until 2001, argued that it is a nationalistic and not a religious movement. This is why they adopted the use of 'Moro'. It was an attempt to overcome ethnic and religious divisions seen in past resistance movements. According to Misuari:

The correct name is Moro; because that is our nationality ... This is not a religious war. Christians can also be Moros. From this very moment there shall be no stressing the fact that one is Tausug, a Samal, a Yakan, a Subanon, a Kalagan, a Magindanao, a Moranao, or a Badjao. He is only a Moro.<sup>14</sup>

In order to attempt to construct a positive 'Moro' identity, the MNLF adopted an ideological programme centring on anti-Marcos sentiment and the need to defend the people against the Philippine government.<sup>15</sup> Only occasionally was the faith argument used.<sup>16</sup> This ideological programme was not strong enough to provide cohesion among the masses. Moreover, its ethnically dominated leadership and military resulted in any ideological attempt to unify identity as hypocritical. The ideological, ethno-linguistic divide in the Philippines is a shared problem that hinders cohesion and solidarity among the people comprising Muslim Mindanao. It

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9 Frake, *supra* note 5.

10 *Id.*

11 *Id.*

12 *Id.*

13 Data was derived from public statements quoting MNLF leadership. Reports covered 1986 to 2007, which were found using *Lexis-Nexis* with the search term 'Moro National Liberation Front'.

14 Frake, *supra* note 5.

15 *Id.*

16 Bertrand, *supra* note 6.



has not been effectively bridged by any of the Philippine resistance groups, with the possible exception being ASG internally.<sup>17</sup>

In addition to identity conflicts, MNLF's ideological programme was limited temporally. Constructing it based on anti-Marcos sentiment did not permit ideological growth; it could not avoid the possibility of fragmentation after Marcos fell from power. Ideological weakness also weakened the political programme. The political programme began with the aim of establishment of an independent state, the withdrawal of government troops in Southern Philippines, a return of lands, more autonomy, and the ability to implement Islamic law in Muslim-dominated areas.<sup>18</sup> By 1973, however, it gave up its call for independence and sought autonomy. This change in the political programme was related not only to political and ideological weakness, but also to a lack of popular legitimacy.

A political programme must be flexible and have the ability to change spatially and temporally. However, change must come from the need to do so internally and externally. The programme itself will die if there is not the call for it from both inside and outside. For the MNLF, there was the call for change internally but not externally. Moreover, MNLF leadership did not even try to rally the masses to support its change in political programme terms.<sup>19</sup> The problems with the MNLF's political ideology and programme affected the development of policies. Policies of the MNLF can be categorized according to organizational, domestic relations and foreign relations. Organizational policies are those related specifically to the organization of MNLF. Domestic policies are those related specifically to relations between the MNLF, other resistance factions, the masses and the government. Finally, foreign policies are those related specifically to relations between the MNLF and external actors.

All three types of policies were identified by examining MNLF public statements or from interviews given by leaders to the media. Secondary sources were used when the author quoted from MNLF documents or from an interview conducted with a MNLF member. Rules for identifying organizational, domestic and foreign policies will be introduced prior to the discussion of each policy type. Organizational policies were identified by whether or not they dealt specifically with the internal structure or operation of the MNLF. If they did, then they were coded as organizational. Organizational type – centralization, decentralization or quasi-decentralization – was coded as centralized if decision-making was limited to the executive body and did not include consultation with lower-level members or the masses; it was coded as decentralized if decision-making included consultation with lower-level members and the masses; and it was coded as quasi-decentralized if elements of both centralization and decentralization were present.

Organizationally, the MNLF appears to be centralized. The central committee of MNLF is the policy-making and governing body, with decision-making capacity vacillating between the Chairman and the Executive Council.<sup>20</sup> In 2001, Nur Misuari, who was Chairman, was replaced by an Executive Council because of

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17 Frake, *supra* note 5.

18 Bertrand, *supra* note 6.

19 *Supra* note 13.

20 *Supra* note 13.

charges of mismanagement and lack of efficiency.<sup>21</sup> Then, in 2006, the 15-member executive council was replaced once more by Misuari in an attempt to reunify the very fragmented organization.<sup>22</sup> Change in leadership can be problematic when the selection of that leadership is conducted by the minority, who already lack popular legitimacy. A change in leadership is further confounded by a weak political ideology and programme which also lacks popular legitimacy. Organizational structure affects the ability to develop domestic policies.

Domestic policies were identified by whether they dealt with domestic relations. These relations were coded according to whether they were political, economic, social or cultural. Afterward, they were coded a second time to determine the form of relations; that is, whether relations consisted of resistance, negotiation, cooperation or compromise. The majority of the MNLF's relations are political in nature. While its government relations can be characterized in part by resistance, the MNLF has demonstrated a policy of negotiation and cooperation.<sup>23</sup> A policy of resistance began in 1972 and was limited to government and military targets. A policy of negotiation began in the 1970s, with the signing of the Tripoli Agreement that recognized, in principle, the establishment of regional autonomy in Southern Philippines.<sup>24</sup> While the agreement was signed, it was never implemented due to differences of interpretation. This ultimately led to a halt in its policy of negotiation with the government until the demise of Marcos.<sup>25</sup> The MNLF cannot be faulted for suspending the policy, as it was Marcos who refused to continue negotiating.

The Tripoli Agreement also began policies of compromise and cooperation.<sup>26</sup> By acceptance of the agreement, the MNLF agreed to compromise on full independence and accept autonomy. This demonstrated not only its willingness to compromise but also its willingness to cooperate. These policies – negotiation, compromise and cooperation – were further solidified in the 1996 Peace Agreement, which was in actuality a two-phase implementation process of the Tripoli Agreement.<sup>27</sup> The 1996 Peace Agreement resulted in the implementation of the Southern Philippine Council for Peace and Development, led by Misuari, to oversee the 14 provinces of the Mindanao-Sulu region; and it required the Philippine military and government to absolve 7,000 MNLF fighters.<sup>28</sup>

The aforementioned temporary administrative body was replaced with the Autonomous Region of Muslim Mindanao (ARMM).<sup>29</sup> The ARMM was an autonomous government endowed with executive and legislative branches, a large bureaucracy consisting of 19 departments and over 19,000 employees, and the placement of local governments under its jurisdiction.<sup>30</sup> The creation of the ARMM

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21 *Id.*

22 *Id.*

23 *Supra* note 13.

24 *Id.*

25 *Id.*

26 *Id.*

27 *Id.*

28 *Supra* note 13.

29 Frake, *supra* note 5.

30 *Id.*

provided some institutional autonomy, but it was insufficient to many MNLF members and not recognized by others such as the MILF and Abu Sayyaf's Group.<sup>31</sup> The ARMM was dependent on the government financially, which hindered its ability to reform and implement socio-economic programmes. Moreover, the large, bloated bureaucracy was inefficient and contributed to the overarching problem of corruption and mismanagement of the governing structure.

The behaviour of the MNLF demonstrates its self-interested nature in policy construction. The 1996 Peace Agreement was conducted with the MNLF only; and the MNLF did not consult with other organizations such as the MILF. This is problematic because, by the end of the 1980s, the MILF enjoyed popular legitimacy.<sup>32</sup> Moreover, the ARMM and the MNLF were plagued with mismanagement and corruption and the institutions set up by the agreement received no support outside of MNLF leadership.<sup>33</sup> Finally, the government lacked a strong commitment to and provision of resources to the ARMM.<sup>34</sup> Despite its self-interested nature, the MNLF does negotiate and cooperate with other political actors. From its inception, it has worked with other resistance movements in carrying out resistance. It has engaged in negotiations with Abu Sayyaf's Group (ASG) in an attempt to get the latter to halt its activities and to identify its political objectives and goals. Finally, the MNLF has begun to hold a Moro People's Congress to seek input and consultation from the people.<sup>35</sup>

The problem with the MNLF's domestic policy is that it does not encompass economic, social and cultural programmes. The development of economic, social and welfare programmes may aid the MNLF in resolving its problems of internal recognition and popular legitimacy. Politically, the problem is that policies are based on self-interest and not collective interest. Even if the argument was made that its self-interest is that of the people's interest, the MNLF does not have a good public relations policy to convey this definition. Such a policy may enable the group to bridge the gap between it and the people.

### *Foreign Policy*

Foreign policies were identified by whether they dealt with external relations and the identity of the types of actors involved. Relations were coded according to whether they were political, economic, social or cultural. Afterwards, they were coded a second time to determine the form; that is, whether relations consisted of resistance, negotiation, cooperation, or compromise. The MNLF has always recognized the importance of developing political relations with external actors.<sup>36</sup>

Specifically, the MNLF enjoys both bilateral and multilateral relations with Libya, Arab and the countries of the OIC (Organization of the Islamic Conference),

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31 Bertrand, *supra* note 6.

32 *Id.*

33 Bertrand, *supra* note 6.

34 *Id.*

35 *Supra* note 13.

36 *Supra* note 13.

Pakistan, Malaysia and most ASEAN members. In fact, due to its relationship with the Arab and OIC countries, the Philippine government was forced to negotiate with the MNLF and later the MILF.<sup>37</sup> Policies with external actors have helped to keep both MNLF and MILF off the US terrorism list. The development and maintenance of foreign relations is also important to the issue of external recognition. They enable a group to not only receive but to maintain external recognition. External recognition is also important to internal recognition. While the former is not dependent on the latter, as is demonstrated by the MNLF and other organizations, the relationship between the two is significant. The MNLF could use its external recognition to develop foreign relations with non-governmental organizations which aid in socio-economic development. The development of such relations could aid the MNLF with its problem of internal recognition and popular legitimacy.

In conclusion, the MNLF was able to make a successful transition from resistance to political party because it possessed certain characteristics. It had a political programme, political ideology, organization and leadership, domestic and foreign policies, and recognition. The MNLF, however, was weak in terms of its political programme, political ideology, organization and leadership, and internal recognition by the people or popular legitimacy. The only characteristic it possessed strongly was external recognition and internal recognition by the government. Since it has not failed and reverted to a resistance organization, the case of the MNLF suggests failure is largely due to lack of external recognition and internal recognition by the government.

### **The Moro Islamic Liberation Front (MILF)**

The MILF, led by Hashim Salamat and in alliance with the Ulemas, split from the MNLF in 1977.<sup>38</sup> Salamat, who was considered both the movement's leader and ideologue, led the group until his death in 2003, after which the movement elected Murad Ebrahim as his successor. While there were differences over leadership between the MNLF and MILF, the split followed the former's signing of the Tripoli Agreement, which the latter rejected. The MNLF gave up its call for the establishment of an independent state in Muslim Mindanao, but the MILF rejected this and maintained its right to resistance until the establishment of an independent state in Muslim Mindanao.<sup>39</sup>

Ideologically, the movement is of an Islamic reformist orientation, which is premised on the ideas of unity.<sup>40</sup> Exposed to the ideas of Islamic reformism,

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37 *Id.*

38 Due to scant nature of the academic materials available, MILF public statements quoting leadership were utilized. Reports covered 1986 to the present and were obtained using *Lexis-Nexus*, with the search term 'Moro Islamic Liberation Front'.

39 *Id.*

40 See the discussion on Jamal al-Din al-Afghani, Muhammad 'Abduh, Shalib and Arlsan under the heading 'Ideological Influences', in the chapter on the Islamic Salvation Front. The ideas of these intellectuals are representative of the ideas underpinning Islamic reformism.

Hashim Salamat introduced a unique addition thereto, which is evidenced by the organization's structure and decision-making capacity. Since the coding rules for identifying organizational and leadership structure were discussed in the section on the MNLF, they will not be rearticulated. Organizationally, the MILF juxtaposes the centralized tradition common in Philippine history with that of the decentralized structure common in the Islamic tradition. It is centralized in the sense that the leadership represents the movement publicly in negotiations with the Philippine government or foreign governments and in its dialogue with the people and other resistance movements. It is also centralized in that the MILF has implemented internal disciplinary policies to ensure that none of its members act outside of agreed policies. The implementation of disciplinary procedures provides the movement with ideological and political cohesion that the MNLF lacks. Ideological and political cohesion are further solidified by MILF's decentralized nature.

MNLF is decentralized in function and decision-making capacity. All the leaders of MILF factions have independent functioning capacity, but are interdependent in their decision-making capacity. That is, the leaders of the factions throughout Muslim Mindanao are free to make decisions and implement policy according to the circumstances on the ground but are constrained by the parameters (or policy foundations) set forth by the top leadership.<sup>41</sup> This structure is not a negative constraint because of the decentralized nature of the MILF's decision-making capacity.

All decisions are made in consultation with MILF members and supporters alike.<sup>42</sup> The leadership will announce the convening of a consultative assembly prior to its commencement, whereupon invitation is open to all concerned. During the assembly, ideas are put forward for policy construction; they are voted, agreed upon and adopted collectively. These ideas provide the movement with ideological direction upon which policy is to be constructed and implemented. This structure makes the MILF collective, consultative and transparent.

Due to its organizational structure and the way in which its political ideology and programme are constructed, it is easy to understand the rise in popularity of the MILF. It draws wide support from Maguindanao and Maranao; and, in the late 1980s, it became the 'voice of the people', even if it was not recognized by the Philippine government as such until the late 1990s.<sup>43</sup> While official recognition came in 1997 with the signing of a ceasefire, it was further reified following the MILF's boycott of the elections in 1998.<sup>44</sup> The MILF decided its members, who numbered about 10,000, would abstain from voting due to its non-recognition of the Philippine constitution.<sup>45</sup> This posed serious problems for the legitimacy of the ARMM, which will be discussed in the following section on the policies of the MILF.<sup>46</sup>

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41 *Supra* note 38.

42 *Id.*

43 *Supra* note 38.

44 Bertrand, *supra* note 6.

45 *Supra* note 38.

46 *Id.*

*Policies of the MILF*

All domestic and foreign relations conducted by the MNLF are premised on the belief in unity being the key to the restoration and development of civilization. Therefore, its policies are constructed and implemented with the goal of attaining unity, which is for the welfare of humankind. Domestic and foreign policies of the MILF were identified by the coding rules explained under the discussion of the MNLF. The MILF's domestic relations are categorized by policies of negotiation, cooperation, information and resistance.<sup>47</sup> A policy of negotiation covers not only relations with the government but also relations with other resistance movements, political actors and the people. The MILF officially entered into negotiations with the government in 1997, with the signing of the ceasefire agreement.<sup>48</sup> This policy of negotiation was halted in April 2000 due to the government launching war on the MILF.<sup>49</sup> Negotiations were resumed the following year when Arroyo replaced Estrada. This time, however, the MILF learned from its policy mistake; it required the establishment of a multilateral body comprised of Libya, Malaysia, Indonesia, the MILF and the Philippine government to ensure there were no ceasefire violations.<sup>50</sup> Thus, negotiations between the MILF and the government were more productive beginning in 2001.<sup>51</sup>

As may be recalled, the MILF and the MNLF split over the latter's acceptance of autonomy. The MILF has said it will not accept autonomy and does not believe in or recognize the ARMM structure.<sup>52</sup> Acceptance, the MILF believes, will result in it following the path of MNLF failure. The 1996 Agreement weakened the MNLF organizationally and politically, since the organization was put in charge of a structure that was corrupt and subject to the government's whim, which has ensured political, social and economic failure. Despite this, the government and the MILF agreed in 2005, in principle, for the establishment of a governance structure that would have political and economic powers over Muslim Mindanao.<sup>53</sup> The areas covered include five ARMM provinces – Sulu, Basilan, Tawi-Tawi, Maguindanao and Lanao del Sur – and Cotabatao, Lanao and Zamboanga. The MILF is also not being asked to forego its call for the establishment of an independent state in Muslim Mindanao.

The MILF is studying various models of conflict resolution, which include East Timor, Sudan, Bosnia and others. Thus, there are three options outside the creation of an independent sovereign state.<sup>54</sup> They include a federal state, commonwealth status or free association of nations. The MILF has said, however, that before anything is settled a referendum in the Muslim-dominated areas of Mindanao would be held. This is because of its belief that the imposition of foreign ideals or one party's vision

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47 *Id.*

48 Bertrand, *supra* note 6.

49 Anson, R. (2004), 'Mindanao on the Mend', *SAIS Review*, 24:1, 63–76.

50 *Supra* note 38.

51 *Id.*

52 *Id.*

53 *Id.*

54 *Supra* note 38.

of government (MNLF) is ineffective. The MILF's ideal will ensure viability of solution.<sup>55</sup>

Due to its ideology being founded on the principle of unity, it is logical that the MILF would have policies of cooperation. It expressed willingness to work with the government in both the latter's domestic and foreign relations; it has worked with other countries such as Libya, Malaysia, Pakistan, and Saudi Arabia to name a few; and it has worked with other domestic political and resistance groups. It has rejected a policy of participation in the political process, because of its belief that running for political office would result in recognition of the ARMM governing structure. Therefore, direct political participation will continue to be rejected until a new governing structure with both political and economic independence from the central Philippine government is created.<sup>56</sup>

The MILF's policy of cooperation is also evident in its policy of resistance. It has always cooperated both directly and indirectly with non-Muslim and Muslim groups in resistance against the Philippine government. For example, in 1999, the MILF said it would aid the New People's Army, a non-Muslim resistance movement. Its relationship with both non-Muslim and Muslim resistance movements is one of tactical alliance. It will aid and retaliate if dragged into conflict by the government; that is, the MILF will retaliate if the military attacks an area under its control.<sup>57</sup>

In terms of its own policy on resistance, the MILF has sought assistance in weaponry and training from foreign entities in order to strengthen its combat capabilities. Its operations are limited specifically to government and military targets. When it must engage in resistance, it does so reluctantly. Its policy is based on the notion that all violence, even against the military, should be avoided. However, it has no choice but to engage the military, even if forced to fight, because of the principle 'kill or be killed'. This does not suggest that the MILF's policy is one of offensive war. Rather, all of its past resistance activities have been defensive in nature.<sup>58</sup>

In terms of media relations, the MILF has an effective policy, as it recognizes that the media provide a venue in which to communicate not only with the people in the Philippines but also with the international community. In fact, the MILF would oftentimes beat the Philippine government to the microphone in commenting on behaviour or explaining why it took a particular action. This policy is shaped by its belief in unity. The deliverance of information is a way in which to attain unity both internally and externally. It is also an effective tool for developing foreign relations.<sup>59</sup>

In terms of foreign relations, the MILF recognized the importance of developing relations with external actors. Specifically, it enjoys bilateral relations with Egypt, Libya, Pakistan, Malaysia and Saudi Arabia, and multilateral relations with the Arab and OIC countries and most ASEAN countries. In fact, its relationship with external actors forced the Philippine government to negotiate in 1997. The MILF was also able to negotiate a solution with Libya, Malaysia and Indonesia for the collective

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55 *Id.*

56 *Id.*

57 *Supra* note 38.

58 *Id.*

59 *Id.*

monitoring of the 2001 ceasefire agreement.<sup>60</sup> In 2003, it offered to serve as a foreign mediator in Iraq between the Philippine government and the Islamic Army in Iraq for the release of a Filipino hostage. The MILF offered not because it has any direct or indirect contacts with any of the Islamic resistance groups in Iraq, but because it is an Islamic organization that is well respected by other resistance groups.<sup>61</sup>

The development and maintenance of foreign relations is important to the issue of external recognition. Similar to the recommendation provided to the MNLF in its foreign relations, the MILF could use its external recognition to develop foreign relations with non-governmental organizations which aid in socio-economic development. The development of social and economic programmes is also needed. These will further aid the MILF in making the successful transition to a political party once it develops the political will to participate in the existing political structure. Moreover, it may bolster one of the three political solutions presented to resolve the Muslim–Filipino conflict in Mindanao.

In conclusion, the MILF is in the process of making the transition from a resistance movement to a political party. While it possesses some of the needed characteristics for a successful transition, it needs to develop political will. There is no doubt that, should it decide to run, the MILF will replace the MNLF as the elective representative of the people, as it is the ‘voice of the people’. Until then, the MILF will remain a resistance movement that is a quasi-political party.

### **Abu Sayyaf’s Group (ASG)**

While the literature is scant on both the MNLF and the MILF, there is a wealth of sources on Abu Sayyaf’s Group in the Philippines. The literature, however, does not examine the question which this chapter seeks to answer. By examining Abu Sayyaf, this section seeks to answer what characteristics, if any, Abu Sayyaf’s Group possesses that might indicate it has the potential to make the transition from a resistance movement to a political party. In order to address this question, existing literature will be utilized to discuss the origins, political ideology and political programme of the group. This section will, however, add to the existing literature when examining the policies of ASG. The existing literature does not examine the policies of ASG or the question of its potential transition.

ASG’s emergence was a logical outcome when examined through an identity construction lens. The MNLF was secular and led by a non-traditional university-educated elite.<sup>62</sup> The MILF, which is Maguindanao-dominated, hails from the established political elite who have secular backgrounds but adopt an Islamic political ideology.<sup>63</sup> Thus, ASG was the first resistance movement to rise above the identity crisis to create a truly Islamic identity.<sup>64</sup>

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60 *Supra* note 38.

61 *Id.*

62 Frake, *supra* note 5.

63 *Id.*

64 *Id.*



ASG was founded by Ustadz Abdurajak Janjalani and comprised disgruntled MNLF members, with the aim of creating an Islamic state in the Southern Philippines.<sup>65</sup> Janjalani and the other dissatisfied MNLF members joined the International Islamic Brigade that had fought the Soviets in Afghanistan from 1980 to 1988.<sup>66</sup> After returning from Afghanistan, Janjalani formed an unnamed group in 1988 to advance the idea of an Islamic state in the Southern Philippines. This group was given the name Mujahideen Commando Freedom Fighters (MCFF) in 1989.<sup>67</sup> The MCFF was a forerunner to ASG and it officially broke away from the MNLF in 1991.<sup>68</sup>

The name Mujahideen Commando Freedom Fighters did not stick, however. In Afghanistan, Janjalani's nickname among his comrades was Abu Sayyaf in honour of Professor Abdul Rasul Sayyaf. The group eventually became known as Abu Sayyaf's Group; the *nom de guerre* being first used by the group in 1991. While Janjalani renamed the group *Al-Harakat al-Islamiyya* (Islamic Movement) in 1994, ASG has continued to be the named used publicly.<sup>69</sup>

ASG officially established its headquarters in Basilan in 1992 and then another base in Sulu in May of 1993.<sup>70</sup> It was in Sulu, under the command of the infamous Commander Robot that it began its manpower build-up, arms acquisitions and fund-raising activities, which involved primarily kidnapping-for-ransom tactics. Due to use of this tactic, the movement was described as a criminal gang by the Philippine government until 2002.<sup>71</sup> It was not until the Philippine government joined the so-called 'War on Terrorism' led by the US that it began describing the ASG as a terrorist group.<sup>72</sup>

Disillusioned with the secular leadership of the MNLF and the moderate Islamic leadership provided by the MILF, Janjalani sought for ASG to fill the political vacuum. Its political ideology is thus founded upon four basic truths.<sup>73</sup> According to Janjalani, the ASG seeks:

- to serve as a bridge or balance between MILF and MNLF;
- the creation of an Islamic government, whose nature, meaning, emblem and objective are peace;
- war as long as there is oppression and arbitrary claims imposed on Muslims;
- the establishment of justice and righteousness for all under the Islamic law.

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65 Banlaoi, R.C. (2006), 'The Abu Sayyaf Group: From Mere Banditry to Genuine Terrorism', *Southeast Asian Affairs* (Singapore: Institute of Southeast Asian Affairs).

66 *Id.*

67 *Id.*

68 Frake, *supra* note 5.

69 Banlaoi, *supra* note 65.

70 *Id.*

71 Montesano, M.J. (2003), 'The Philippines in 2002: Playing Politics, Facing Deficits and Embracing Uncle Sam', *Asian Survey*, 43:1, 156–66.

72 *Id.*

73 Banlaoi, *supra* note 65.

In order to obtain these four basic truths, Janjalani believed the organization needed to be committed to *Jihad fi Sabilillah*, which is a direct reference to Mawdudi.<sup>74</sup> The ideas of Mawdudi will not be discussed in detail here, as they were covered in Chapter 5 on Hamas. However, it should be noted here that, for ASG, combative jihad is the only means of attaining its ends.

In order to engage in combative jihad, organizational and leadership structure are necessary. The coding rules will not be discussed here since they were articulated in the discussion on the MNLF. Abdurajak Janjalani envisioned an organization with two main bodies – the Islamic Executive Council and *Mujahideen al-Sharifullah*, the military wing.<sup>75</sup> The Islamic Executive Council was to serve as the main planning and executive body. It was to be comprised of two committees – one with fundraising and *da'wah* function and the other as an information bureau. The military wing, called *Mujahideen al-Sharifullah*, which was to be comprised of three units – demolition, mobile forces and information.<sup>76</sup>

After Abdurajak Janjalani's death, the organizational structure suffered from disorganization and fragmentation.<sup>77</sup> ASG split into two factions; the Basilan faction was led by Khaddafy Janjalani; and the Sulu faction was led by Galib Anadang (also known as Commander Robot).<sup>78</sup> One year later, in July 1999, Khaddafy Janjalani was elected head of ASG. Despite reunification, Khaddafy lacked his brother's leadership qualities, which resulted in the Basilan group itself splitting into multiple armed factions in 2002, all of which operated independently. This split may not necessarily be the result of fragmentation of ASG. Instead, it may be the intentional creation of the decentralized organization style that is common among Islamic resistance movements. Whether it was intentional or not, ASG has continued to be plagued by internal disputes after Abdurajak Janjalani's death. This prevents it from developing strong policies beyond that of resistance.

#### *Policies of Abu Sayyaf's Group in the Philippines*

Since the coding rules for the identification of policies were explained under the discussion on the MNLF, they will not be rearticulated in this section. A discussion of political ideology and organizational structure, however, are essential since they influence ASG's policies. According to its political ideology, ASG is to serve as a bridge or balance between the MILF and the MNLF; to create an Islamic government, whose nature, meaning, emblem and objective are peace; to engage in war as long as oppression and arbitrary claims are imposed on Muslims; and to establish justice and righteousness for all under the Islamic law. These, however, are to be obtained through combative jihad. This means the implementation of a policy of resistance. ASG's policy of resistance is comprised of a policy on the use of kidnapping; a policy

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74 *Id.*

75 Banlaoi, *supra* note 65.

76 Banlaoi, *supra* note 65.

77 *Id.*

78 *Id.*

on the use of armed attacks; and a policy on the use of explosives and martyrdom operations. Each of these policies will be discussed in detail.

### *Policy on the Use of Kidnapping*

A policy of kidnapping began in 1994.<sup>79</sup> At first, targets were limited to Christian civilians, but in 1995 the policy was expanded to include foreign nationals and government personnel. The foreign nationals kidnapped were limited to those who lived in surrounding states. It was not until 2000 that US citizens became targets, but only after being warned. Also in 2000, policy was expanded to include capturing civilians irrespective of whether they are Muslim or non-Muslim. Most civilians captured, however, were affluent. Those who were not were taken following rallies protesting against ASG's use of kidnapping as a tactic. Due to public protests, in 2001 ASG began warning prior to its kidnappings of civilians. For example, it threatened to kidnap local media personnel for their biased reporting. Then, in 2002, it threatened to abduct students and teachers.<sup>80</sup>

Regardless of whether hostages were civilians, foreign nationals or government personnel, the living conditions were harsh but no different than those in which ASG members lived. ASG provided basic staples to keep them alive. There were times, however, when the staples had to be rationed due to the government prohibiting supplies from entering ASG camps. It was rare for hostages to be raped, tortured, abused or executed.

The use of executions was rare, but when used they took the form of beheadings. The first two beheadings occurred in 1995 and were conducted against Mindanao citizens for spying.<sup>81</sup> There were no other beheadings until 2001, when two males were beheaded for selling drugs, again Mindanao citizens. ASG, however, would threaten to behead hostages. First, in 1999, it threatened beheadings if the government did not halt its military operations. Then, in 2000, it threatened beheadings if Khaddafy Janjalani's family was not released. In 2001, it threatened the execution of non-Muslim civilians for the government's detention of innocent Muslim civilians in Mindanao.<sup>82</sup>

The use of beheading did not resume until 2005, when three civilians were executed for spying. In 2006, a man was beheaded but no reason was given. In the present year (2007) there have been seven beheadings. This has prompted a public outcry against ASG's use of such tactics. Due to this, it is unlikely for more beheadings to occur except in cases of spying or drug-trafficking. It is when they are random and no justification given that there has been a backlash by the public.

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79 Data were collected using ASG public statements wherein leaders and/or members were quoted. Reports cover 1994 to the present and can be located using *Lexus-Nexus* with the search term 'Abu Sayaf'.

80 *Supra* note 79.

81 *Id.*

82 *Id.*

Therefore, ASG must resume its policy of warning prior to such occurrences and announcing the reasons for its use after they have happened.<sup>83</sup>

Prior to 1999, kidnapping was largely used to garner international attention in an attempt to get the military to halt its operations against the ASG.<sup>84</sup> It was not until 1999 that kidnapping began to be used exclusively for fund-raising. Beginning in 2001 and afterwards, ASG began to use them as a diversionary tactic. Hostages would be taken in order to slow the government's military operations against ASG. The government could not indiscriminately attack ASG-controlled areas as long as hostages were in the Group's possession. Kidnapping, therefore, proved to be a way in which to limit destruction to communities. Kidnapping of foreign nationals was also more than just fund-raising activity. By capturing foreigners, ASG forced those governments to remain active in the Mindanao problem. Kidnapping, therefore, was not exclusively a fund-raising tactic but more frequently an attempt to garner international attention for ASG itself and for Muslim Mindanao.

To the detriment of its kidnapping policy, ASG did not have a well-organized strategy for making demands. It was only between 2000 and 2001 that specific demands were made, which ranged from political to social to international needs. Politically, it demanded the creation of an Islamic state; recognition of Muslim rights to self-determination and independence in Muslim Mindanao; recognition of the group as a political organization by the government and the OIC; the establishment of an OIC-UN joint commission to investigate human rights abuses by government; and, finally, war reparations from the government for Muslim Mindanao. Political demands should have been asserted each time hostages were taken.<sup>85</sup>

In terms of specific domestic needs, ASG demanded that the government halt foreign and local missionaries from building churches; that foreign fishing boats be banned from waters in Muslim Mindanao in order to protect local fisherman; that rice, fruit and other basic staples be provided; and, finally, that development aid be given for the establishment of orange, mango and coffee plantations. Each time hostages were taken ASG should have demanded the provisions of goods or services to benefit the public.

Internationally, ASG demanded that the US and Europeans withdraw their troops and business interests in the Middle East; and that the international community withdraw its support to Israel and the Philippine government. These international demands were not realistic. However, ASG should have made international demands each time hostages were taken. Linking the kidnapping of hostages domestically and internationally increases the visibility of the group and the underlying cause, which in this case is Muslim Mindanao.<sup>86</sup>

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83 *Supra* note 79.

84 *Id.*

85 *Supra* note 79.

86 *Id.*

*Policy of Armed Attacks*

A policy of armed attacks entails the engagement of a foe with guerrilla or conventional warfare tactics.<sup>87</sup> Like the MNLF, the MILF and other resistance movements in the Philippines, ASG primarily engaged in armed attacks against the military. This required all combatants to undergo training in the use of weaponry and tactics.<sup>88</sup> Such training has been provided from a variety of sources including, but not limited to, participation of senior combatants in conflicts around the world (for example, Afghanistan). Leaders have also sought the aid of other resistance movement such as *Jemiah Islamiyya* in Indonesia. Combatants must also undergo training in the use of weapons. Weaponry is primarily purchased from the foreign and domestic black market, with the latter being supplied by rogue soldiers. For example, in 1995, ASG purchased anti-aircraft missiles and other high-tech weaponry for the purpose of engaging in armed attacks.<sup>89</sup>

While training and purchasing of weaponry are necessary for an effective policy, the calibre of the recruits is also important. The majority of combatants comprising ASG are young individuals ranging between the ages of 15 and 20. This is problematic for an effective policy and is the reason why its attacks are limited in nature. ASG must have recognized this as being problematic because beginning in 2005 only those that were referred to an ASG recruiter were selected. They also began recruiting Christians in 2005. Recruitment was lax during times of heavy losses, which implies that even though there may be recognition of the age of recruits as being problematic, it is still likely to occur so long as ASG suffers from a large number of losses – whether in battle or by arrest.<sup>90</sup>

Attacks can be categorized as offensive and defensive, with the majority of them being the latter. Offensive attacks are those wherein ASG engages the foe whereas defensive attacks are those wherein it responds to the foe's assault. When engaging in offensive attacks, ASG's policy was to conduct coordinated, surprise attacks in an isolated location where it is known that the military is weak. Selecting isolated locations ensures a minimal amount of civilian casualties in cross-fire and of governmental reprisal. Reduction of civilian casualties enables the group to reduce public backlash for its use of force. Selecting areas where the military is weak ensures that ASG will be minimally effective, given its military disadvantage. ASG has engaged in only a few offensive attacks where civilians were the target. Nevertheless, they were still strategic in nature. Only villagers where the inhabitants aided the government were targeted.<sup>91</sup> Regardless of this, any policy where civilians are intentionally targeted damages the credibility and long-term effectiveness of the policy. Targeting of civilians must be limited and unintentional.

The majority of ASG's attacks are defensive in nature; it primarily engages in attacks in response to the government's pursuit of the Group's members militarily.

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87 *Id.*

88 *Id.*

89 *Supra* note 79.

90 *Id.*

91 *Supra* note 79.

Because of this, ASG has been able to maintain public sympathy for its policy on the use of armed attacks. This is because citizens receive the brunt of the military force used by the government. The military does not make a distinction when bombing in areas where ASG is located. Its bases are primarily located in Basilan and Sulu.<sup>92</sup> When the government pursues ASG militarily, the latter's combatants will break into small units to avoid capture. This has been extremely effective and it is the reason why the government and the US (in 2002 and 2003) have been unsuccessful in eliminating ASG militarily.

### *Policy of Explosives and Martyrdom Operations*

A policy of use of explosives began in 1994.<sup>93</sup> The first bombing occurred in Zamboanga City, which is predominantly Christian with a large Muslim refugee population. ASG claimed it was conducted in order to apply pressure to and in retaliation for ongoing military and police operations against the group in Sulu. The next bombing did not occur until five years later and ASG did not provide a rationale. After the 1999 bombing, there were no others until 2001. In 2001, ASG targeted a pizza restaurant, but gave no reason as to why it was selected. Following this, there was a bombing almost every year. The difference, however, between the bombings that occurred between 1994 and 2001 and those that followed was ASG's use of public warning prior to its commencement of action.<sup>94</sup>

In 2002, ASG warned it would carry out bomb attacks against civilians if the government continued to expel Muslims in Mindanao as a part of their campaign to rid the area of its members.<sup>95</sup> A couple of months later there was a motorcycle explosion outside a karaoke bar, after which ASG warned of more bombing attacks. Then, in 2003, it warned it would begin targeting public utilities and economic interests. A few months later, ASG conducted the airport bombing. Afterwards, ASG stated it regretted casualties but that more attacks would be forthcoming.<sup>96</sup>

Not too long after the warning, ASG conducted the supermarket blast. This time, however, it requested monetary compensation to halt future bombings. The government chose instead to freeze their existing financial accounts. During this time, ASG concluded a tactical alliance with *Jemiah Islamiyya*. Then, in 2004, ASG undertook the largest explosion to date, which was the ferry blast, to avenge the military crackdown on the Group. In 2005, another bombing occurred following a warning. While this bombing could not rival the ferry incident, it was significant in that it was the first time ASG engaged in a coordinated attack, wherein there were simultaneous explosions in two different cities. This, ASG claimed, was its Valentine's Day gift to Arroyo. Toward the end of 2005, ASG promised that a metro-Manila bombing to rival Madrid would be conducted in the future. Despite this, no

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92 Banlaoi, *supra* note 65.

93 *Supra* note 79.

94 *Supra* note 79.

95 *Id.*

96 *Id.*

other bombings were conducted until 2007. ASG began the year with a bombing, but there have been no more since.<sup>97</sup>

ASG has never undertaken martyrdom operations. To engage in such operations, recruits must have a degree of ideological sophistication. While the leadership may possess such, its foot soldiers do not. As may be recalled, the majority of ASG foot soldiers range between the ages of 15 and 20. Moreover, as previous policy indicates, much of ASG actions are done in self-interest; that is, it fails to link its cause and the reasoning of its policies to the economic, political and social conditions of Muslim Mindanao. It is very unlikely that martyrdom operations will be undertaken in the future, without a change in recruitment policy.

Bombings are a more effective tool in gaining international attention than kidnappings. Moreover, they allow for greater mobility. Kidnapping limits mobility since ASG has to move both hostages and its own units. The use of bombings will enable the group to remain in small units and avoid capture more easily than when engaging in a policy of kidnapping. The problem, however, is that ASG does not link bombings to political, social and economic conditions within the Philippines. The majority of the population suffers from devastating poverty whereas the elite, those connected to the government, enjoy the majority of political, social and economic benefits. By linking its use of bombings with existing conditions, ASG will increase its own visibility and that of the problem in Muslim Mindanao.

#### *Policy on Domestic and Foreign Relations*

Policies were identified and coded according to the rules articulated in the section on the MNLF. ASG's policy on domestic and foreign relations is almost non-existent. It does, however, have weak policies of negotiation and cooperation.<sup>98</sup> Its policy consists of dialogue undertaken with the government, foreign governments and non-state actors such as domestic and international resistance organizations. With respect to dialogue, negotiations are centred around its policy on kidnapping. Specifically, it is limited to the surrender of hostages and the demands made by ASG. In so doing, ASG formulates a framework upon which negotiations are to take place.<sup>99</sup>

During its negotiations for the release of hostages, ASG made some specific domestic demands such as the creation of orange, mango and coffee plantations and the exclusion of foreign fishing boats from the waters in Muslim Mindanao. In response, the government allotted development aid to Mindanao and talked with the fishing association. The problem is that the majority of ASG demands for the release of hostages revolved around the group's own needs and not that of the community.<sup>100</sup> ASG has attempted to move beyond negotiations centred on kidnapping but the government has refused so long as the Group continues engaging in kidnapping and bombings. ASG also expressed its desire to be recognized as a political organization, which was rejected by the government. Even if the government were to recognize

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97 *Supra* note 79.

98 *Supra* note 79.

99 *Id.*

100 *Id.*

ASG as such, the problem is the latter's lack of political programme. It has no defined political, social or economic policies.<sup>101</sup>

Politically, ASG has called for the creation of an Islamic state in Muslim Mindanao. Its vision of such is similar to Pakistan's federal Islamic republic. Again, the problem with ASG in this regard is its lack of economic, political and social programmes. A vision must be rooted within society. ASG has to build from the bottom upwards; it has to plant its roots and grow with society. It can only do so by developing well-defined policies.<sup>102</sup>

Nonetheless, ASG's policy of resistance has enabled it to develop relationships with internal and external actors. During times of conflict, it cooperates with other resistance movements such as Misuari's Breakaway Gang and the New People's Army. While this cooperation is based on tactical alliances, it is a framework upon which to build political, social and economic relations. With respect to external actors, ASG could utilize the relationships it has to bring developmental aid to society. In order to be successful, it must develop specific policies that can be implemented.<sup>103</sup>

#### *A Future ASG Transition?*

The origins, political ideology and programme have been examined to determine whether it possessed characteristics to enable a future transition from resistance movement to political party. ASG possesses a political ideology; its political programme is solely that of resistance; its organization and leadership are disorganized; it has very weak domestic and foreign policies; and, lastly, it lacks recognition. Having only a resistance policy does not hinder an organization so long as it begins laying the groundwork for future political, social and economic programmes. The problem with ASG is that it has not begun laying this groundwork. This is in large part due to the disorganization and fragmentation of its overarching organizational and leadership structure. If ASG wants to make the transition from a resistance movement to a political party, it needs to develop a political programme beyond resistance; it must develop well-defined policies to be implemented; and, more importantly, it needs to develop legitimacy among the masses in order to gain internal recognition.

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101 *Supra* note 79.

102 *Id.*

103 *Id.*



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## Chapter 10

# Terrorism all the Way! Nihilist Groups: the Example of Al Qaeda

Anisseh Van Engeland

If inciting people to do that [9/11] is terrorism, and if killing those who kill our sons is terrorism, then let history be witness that we are terrorists.<sup>1</sup>

Terrorism, like viruses, is everywhere. There is a global perfusion of terrorism, which accompanies any system of domination as though it were its shadow, ready to activate itself anywhere, like a double agent.<sup>2</sup>

What distinguishes a group like Hezbollah from Al Qaeda is that Hezbollah carries out acts of violence that are restricted territorially and that are directed against specific targets that its members consider are on their path to the fulfilment of the right to self-determination.<sup>3</sup> Besides, Hezbollah does not lead an international jihad and that is probably why it has stopped targeting foreign troops or representations on the Lebanese soil, as to avoid any comparison to Al Qaeda.

While other chapters present violent opposition groups who were initially formed for the purpose of engaging in violent activity but that subsequently joined the political process – successfully or not – the group analysed in this chapter rejects the political process of not only the governments against which it is operating but also the international governing system. Its aim, unlike the other groups studied in this book, is international in nature: the terror it spreads knows no boundaries and the battlefield has been extended *ad infinitum*.

This chapter will be solely devoted to the study of Al Qaeda. It will demonstrate that the extended use of violence and the indiscriminate massive killings Al Qaeda has carried out make it a very different group from the ones like Hezbollah or the IRA. Al Qaeda seeks to conquer the world and to change it according to its views; it is a terrorist nihilist group in the sense that it has no political agenda but an erratic extremist Islamic programme.

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1 Bin Laden, O. (2001), quoted in Bergen, P. (2004), 'The Long Hunt for Osama', *Atlantic Monthly*, October.

2 Baudrillard, J. (2003), *The Spirit of Terrorism and Other Essays* (London: Verso), 87–8.

3 Ayoob, M. (2004), 'Political Islam: Image and Reality', *World Policy Journal*, XXI:3, Fall, 7.

## What is Al Qaeda?

Al Qaeda's network is extended as it relies on small cells scattered around the world. *Al Qaeda* means the base, the law or the foundation. It is a transnational armed group created in 1988 by Osama bin Laden, carrying out deadly and indiscriminate terrorist attacks throughout the world. Bin Laden is a Saudi Arabian Islamist militant and is on the Ten Most Wanted Fugitives list.<sup>4</sup> The movement he created is known under other names such as *Qa'idat al-Jihad*, *Maktab al Khidamat*, International Islamic Front for Jihad Against Jews and Crusaders, *Al-Jabhah al-Islamiyyah al-'Alamiyyah li-Qital al-Yahud wal-Salibiyyin*, Group for the Preservation of Holy Sites, Islamic Army of the Liberation of Holy Places and Islamic Army for the Liberation of Holy Shrines.<sup>5</sup> The organization's militants lead a jihad and call themselves *Qa'edat al-Jihad* which means 'the Base for Jihad'. Others say that the name Al Qaeda was actually given by the US government after a computer file containing information about bin Laden and his contacts.<sup>6</sup> The aim of the group is to expand the jihad and defend Islamic territories against Western influences and invasions. The group resorts to deadly attacks and became a household name after the four simultaneous attacks carried out on American soil on 11 September 2001.

### History

The origins of the group can be traced back to the 1979 invasion of Afghanistan by Soviet troops. The idea began as the brainchild of Osama bin Laden as he left Pakistan to assist the Afghan troops in fighting the Soviet invasion.<sup>7</sup> In 1984, the Jordanian Palestinian Sheikh Doctor Abdullah Azzam, bin Laden's instructor and a pre-eminent figure of the Muslim brotherhood,<sup>8</sup> created in Peshawar (Pakistan) the group *Maktab al Khidmat lil Mujahidin al-Arab* (MAK), funded by bin Laden. The aim of the MAK was to train mujahiddin and Muslim fighters to lead a jihad against the Soviets.<sup>9</sup> The MAK hosted and trained Muslim fighters coming from around the world. It was also funded by Middle Eastern countries, the US and the CIA as it

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4 Interpol (2007), <[http://www.interpol.int/Public/Data/Wanted/Notices/Data/1998/32/1998\\_20232.asp](http://www.interpol.int/Public/Data/Wanted/Notices/Data/1998/32/1998_20232.asp)>.

5 Periscope (2002), 'USNI Database: Terrorism Database', at <[www.periscopel.com](http://www.periscopel.com)>.

6 Filiu, J.P. (2006), *Les Frontières du Jihad* (Paris : Fayard), 109.

7 Gunaratna, R. (2007), 'Ideology in Terrorism and Counter-terrorism: Lessons from Al Qaeda', in *The Ideological War on Terror: Worldwide Strategies for Counter-terrorism*, ed. G.P. Hard and A. Aldis (London: Routledge), 21–34, 24.

8 Katzman, K. (2005), *Al Qaeda: Profile and Threat Assessment*, Foreign Affairs, Defense, and Trade Division, CRS Report for Congress, 1 (Washington DC: CRS).

9 Benjamin, D. and Simon, S. (2002), *The Age of Sacred Terror: Radical Islam's War against America* (New York: Random House), 100.

was perceived as a rampart against communism.<sup>10</sup> Some experts even say bin Laden himself received a training from the CIA.<sup>11</sup>

Soon the organization extended from a logistical and financial support to a war organization: with the end of the Soviet occupation of Afghanistan in 1989, some members of the organization wanted to carry on with the defensive jihad all over the world.<sup>12</sup> The Afghan Service Bureau, the other name of the MAK, evolved: several organizations grew from this movement and one of them became Al Qaeda in 1988.

The two leaders of the movement, bin Laden and Azzam, disagreed on what had to be done next: bin Laden wanted to lead a globalized jihad including non-military actions while Azzam wanted to focus on military actions solely. Bin Laden took over and Azzam was killed with his two sons in a car explosion, leaving the path clear for bin Laden.<sup>13</sup> Al Qaeda's nature and strategy then changed, mainly under the influence of its new ideologues like al-Zawahiri:<sup>14</sup> it led military actions throughout the world, including terrorist actions and targeting of non-combatants.<sup>15</sup> Many small organizations were created to support Al Qaeda.

At first, Al Qaeda members remained in Afghanistan to train while bin Laden went back to Saudi Arabia until he had to leave that country.<sup>16</sup> He left Saudi Arabia for Sudan, with many of his followers. Al Qaeda grew in Sudan, had many connections to businesses thanks to bin Laden's contacts and became financially stronger. The movement was asked to leave Sudan, accused of participating in the attempted murder of Hosni Mubarak.<sup>17</sup> The group moved then to Afghanistan where it established strong ties with the Taleban.<sup>18</sup> Afghanistan was therefore a safe haven for Al Qaeda and bin Laden reinforced its structures. From Afghanistan, its militants were sent to continue the jihad throughout the world. For example, fighters went to Bosnia during the war to defend and expand Islam. It was in Bosnia that Al Qaeda members had the opportunity to experience fighting for the first time.<sup>19</sup> It was then ready to turn to the next phase: global expansion of the jihad.

The terrorist group carried out many terrorist acts in the world before the infamous 2001 attacks. It is believed that Al Qaeda was fully active in Iraq after al Zarqawi's death in 2006. It first helped local resistance fighters before sending militants who

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10 McCullough, C., Keats, A. and Burgess, M. (2002), 'CDI Terrorism Project: Al Qaeda', at <<http://www.cdi.org/terrorism/network.cfm>>.

11 'Al-Qaeda's origins and links', BBC, 2004, at <[http://news.bbc.co.uk/1/hi/world/middle\\_east/1670089.stm](http://news.bbc.co.uk/1/hi/world/middle_east/1670089.stm)>.

12 Filiu, *supra* note 6, 110.

13 Benjamin and Simon, *supra* note 9, 103.

14 Gunaratna, *supra* note 7, 24.

15 Benjamin and Simon, *supra* note 9, 104.

16 'Interview with Saudi Dissident Bin Ladin', by R. Fisk, *The Independent*, 10 July 1996.

17 Garamone, J., 'Bin Laden and the Al Qaeda Network', American Forces Press Service, 21 September 2001.

18 Cronin, A. (2004), *Foreign Terrorist Organizations*, Foreign Affairs, Defense, and Trade Division, CRS Report for Congress (Washington DC: CRS), 85.

19 Filiu, *supra* note 6, 149.

are said to have bombed the ICRC and UN headquarters.<sup>20</sup> From Iraq, the movement exported violence to countries such as Morocco, Tunisia and Jordan.

### *Ideology and Aims*

Al Qaeda's ideologues have manipulated Islam, interpreting it and reinterpreting it to fit an ideology. It is how the group recruits followers. It is also how it inspires other groups throughout the world.

*A global ideology* This armed group is of a radical Sunni nature, with deep Wahhabit and Salafist influences.<sup>21</sup> Because of its Salafist creed, disciples of Al Qaeda follow only the oldest Islamic sources and interpretations of Islam.<sup>22</sup>

Azzam was the originator of the founding charter of Al Qaeda, drafted in late 1987–early 1988 and published in *Al Jihad*, the journal of the Arab Mujahidin in April 1988.<sup>23</sup> Al Qaeda was described then as an organization channelling the energies of the Mujahidin to struggle for Muslims oppressed around the world. Azzam envisaged the movement as a sort of 'rapid reaction force'<sup>24</sup> that would defend Muslims in need.<sup>25</sup> Azzam was thinking of a revolutionary vanguard.<sup>26</sup> The wording used by Azzam did not include terrorism as such. Azzam actually did not believe that the end justified the means<sup>27</sup> and this is probably why he was killed by those who wanted the movement to be harsher. Dr Ayman al-Zawahiri is partly responsible for what Al Qaeda has become: he is the one who changed the ideology of the movement from a guerrilla struggle to a worldwide nihilist terrorist movement. This explains why Al Qaeda plays no role in politics: its very nature prevents it from working at a single national level and within the boundaries of a unique state.

Al Qaeda has become the symbol of international terrorism since the 2001 attacks. The aims of the organization are to eliminate secularism from the Arab world and foreign influences from Muslim countries, to fight against the Unbelievers and Infidels to protect and expand Islam, and to re-establish the Caliphate.<sup>28</sup> The Caliphate is an ancient system of government based on Islamic law (*Shari'a*) under the lead of an Imam, a caliph or the Prince of Believers.<sup>29</sup> Afghanistan under the Taliban was supposed to be the model state for the Caliphate.

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20 Cronin, *supra* note 18, 87.

21 Roy, O. (2002), *Les Illusions du 11 septembre: le débat stratégique face au terrorisme* (Paris: Seuil), 16.

22 Benjamin and Simon, *supra* note 9, 89.

23 Azzam, A. (1988), 'Al-Qa'idah al-Sulbah', *Al-Jihad*, 4:April, 46.

24 Gunaratna, *supra* note 7, 25.

25 Azzam, *supra* note 23.

26 Burke, J. (2004), *Al Qaeda: Casting a Shadow of Terror* (London: I.B. Tauris).

27 Gunaratna, *supra* note 7, 26.

28 Council of Foreign Relations (CRF) (2005), 'Al Qaeda', at <<http://www.cfr.org/publication/9126/>>.

29 McCullough, *supra* note 10.

The organization believes that the secular and corrupted regimes in the Arab world are the consequences of the Western world's influence.<sup>30</sup> Therefore all non-Islamic regimes, including non-Muslim and Western regimes, are enemies of Al Qaeda. It is a duty to lead a global jihad against Western countries. Jihad must be global, international and universal to reinstate the Caliphate and the control of Islam over lost Muslim territories. The creed of Al Qaeda is therefore a global jihadi movement.<sup>31</sup>

The organization also seeks to free three holy places from foreign influences: Jerusalem, Mecca and Medina. This fight takes place on Muslim soil as well as abroad as the so-called negative influence must be curbed and suppressed. Besides, countries such as the US are enemies as they are perceived by the group as being responsible for secularism, invasion and occupation of the Arab world by foreign troops.<sup>32</sup> Attacking them and killing their citizens is a part of the jihad.

Al Qaeda says it leads a defensive jihad:<sup>33</sup> it fights to defend Islam and oppressed Muslims throughout the world. In that sense, the organization leads what in bin Laden's view is perceived as a defensive war – considered to be a duty for Muslims.<sup>34</sup> The group draws its ideology mainly from conservative Islamist scholars that encourage jihad:

Our duty is to struggle against the enemies of God; our duty is to put an end to the humiliation of the people of Islam that has lasted too long ... America thinks it is strong, that it controls everything, but what will it do, one day, against our young martyrs?<sup>35</sup>

This jihad is permanent, global, multidimensional, ideological and kinetic.<sup>36</sup> The supporters of Al Qaeda adhere to the ideology of global jihad.<sup>37</sup> There are violent and non-violent groups among them. Some of these groups have been criticized by bin Laden and al-Zawahiri.<sup>38</sup>

This raises a question: Al Qaeda has an international strategy and therefore cannot be a political actor at a state level. It could, however, try to influence politics at the international level. It pretends to do so by tackling major political issues such as the Israeli–Palestinian conflict. The movement bases its political arguments on the jihad against the West. However, although Al Qaeda speaks of political issues, it does not have a political programme as such: it does not suggest political, democratic and peaceful solutions to the matters it raises in its discourse. Therefore, Al Qaeda even

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30 Blanchard, C.M. (2006), *Al Qaeda: Statements and Evolving Ideology*, Foreign Affairs, Defense, and Trade Division, CRS Report 1 (Washington DC: CRS).

31 Gunaratna, *supra* note 7, 55.

32 McCullough, *supra* note 10.

33 Blanchard, *supra* note 30, 1.

34 Filiu, *supra* note 6, 34.

35 Atef in Jacquard, R. (2002), *In the Name of Osama Ben Laden: Global Terrorism and the Ben Laden Brotherhood* (Durham: Duke University Press), 101.

36 Gunaratna, *supra* note 7, 23.

37 Gunaratna, *supra* note 7, 48–9.

38 *Id.*

lacks the premises of any political actor: although it refers to some international political issues, it has no real political platform.

*Massive killings of civilians as a strategy* This jihad is global and the battlefield has no limits: terror is brought everywhere and extensive civilian casualties are accepted. Taking Muslim lives if they are ‘bad Muslims’ is also acceptable. There is indeed a minority in Islam, like Al Qaeda, claiming that the ethic of saving life is less important than the aim of jihad which is the universalization and hegemony of Islam; not killing during jihad demonstrates a weakness and a lack of faith (*kufir*). These intellectuals perceive jihad as a way to universalize Islam and fight perversion. They justify their actions by referring to the verse of the sword:

And when the sacred months are over, fight the idolaters unto the finish where ever you find them, or arrest them. Besiege them or lie in ambush, for them through every stratagem; yet if they do repent and take to prayer, and pay *zakat*, then let them go their way; God is indeed Forgiving, Full of Mercy.<sup>39</sup>

Al Qaeda has transformed jihad into a war of religion waged against the world to achieve the universality of Islam. Jihad is therefore a personal duty for each Muslim. The ideologues of Al Qaeda – and other nihilist terrorist groups in general – justify the killings of civilians. Suleiman Abu Ghaith, a leader of Al Qaeda who has evaluated the number of Muslims killed in the world by the US, said 4 million Americans should be killed in return.<sup>40</sup> For these extremist intellectuals or terrorist ideologists, civilians have become legitimate targets: Abd al-Azziz al Jarbou denounces the moral decadence of the US as a source of perversion that has to be eliminated, and he is supported in this by Hamud bin Uqla al Shuaibi and by Ali al Khudeir al-Khudeir.<sup>41</sup>

The argument is to widen the notion of combatants to civilians: the people living in the incriminated countries have ways of life that are not Islamic; therefore they are perverted by the system to which they belong. Besides, according to Human bin Uqla, by voting in a democratic way, civilians accept the policies led by their governments and are therefore perceived as supporting these perverted governments.<sup>42</sup> Sheikh Ali al Khudeir justified the killings in the Twin Towers in 2001 because civilians working there were involved in capitalism, were working for the state or for offices linked to the system.<sup>43</sup> Therefore they were combatants indirectly representing their government.

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39 Quran 9:5.

40 Bush, G.W. (2004), ‘Bush Casts War on Terrorism in Historic Terms’, transcript of the commencement address at the United States Air Force Academy in Colorado Springs, 2 June 2004, at <<http://www.washingtonpost.com/wp-dyn/articles/A9946-2004Jun2.html>>.

41 Al-Jarbou, A.A., ‘The Foundations of the Legality of the Destruction that Befell America’, Saudi Arabia, published online, quoted in Halevi, J. (2003), ‘Al Qaeda’s Intellectual Legacy: New Radical Islamic Thinking Justifying the Genocide of infidels’, *Jerusalem Viewpoints*, 508, December 2001.

42 *Id.*

43 Middle East Media Research Institute (2004), ‘Contemporary Islamist Ideology Authorizing Genocidal Murder’, Special Report no. 25, 27 January 2004, at <<http://memri>.

At this point, it is interesting to stress the impact of the ‘killing factor’: how can a terrorist group that has killed civilians ask to integrate into political life? Al Qaeda does not make such a request for the time being. We can imagine, however, that in decades from now, the movement might evolve and might develop a political platform or have a political arm. Would it then be acceptable to invite it to play a role in international politics or at a state level? This scenario might never happen but can be applied to other movements studied in this book: Hezbollah, the IRA, FARC and many others did kill people and yet are still able to participate today in national political life. Algeria chose another strategy: conciliation. It asked its citizens through a referendum to decide whether criminals and terrorists of the various movements that spread terror in the 1990s were to be forgiven or not. This is a process that might be used for other terrorist/self-determination movements willing to transform into political parties.

### **International Terrorism versus Resistance**

Two weeks after the beginning of the war between Israel and Hezbollah, Al Qaeda broke its silence: Ayman al-Zawahiri issued a statement and spoke of the difficulty of adapting Al Qaeda to local specificities.<sup>44</sup> By saying so, he pointed at one of the very fundamental issues of Al Qaeda: its incapacity to adapt to a local field. The network has indeed an international vocation. Its network is consisted of local groups acting on their own devices and is established in countries like Iraq, but the aim of Al Qaeda remains international. This has consequences at the political level: Al Qaeda does not have a political agenda for a country. Besides, the movement is Sunni, so the programme it has for the Muslim world is limited and excludes adherents of Shia and minorities. The jihad is therefore international but polarized. This was not the case for the previous movements analysed in this book: they were all the products of local history and factors.

It is also essential to underline that, contrary to the other movements studied, resistance is not part of Al Qaeda’s programme and strategy. If Hezbollah remains the Arabs’ hero of resistance, Al Qaeda turns more and more into a nihilist terrorist group, using extreme means for a goal that very few Muslims share. Al Qaeda’s political theory relies on the global clash of civilizations between true Muslims and the ‘Zionist–crusader alliance’.<sup>45</sup> Jihad is not only ‘the liberation of Palestine’ but also the liberation from Western occupation of ‘all lands that was the realm of Islam, from Andalusia to Iraq’. Al-Zawahiri said:

You dispossessed and oppressed in the world, victims of tyrannical, oppressive Western civilization and its leader, America – stand with the Muslims to confront this oppression,

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[org/bin/articles.cgi?Page=archives&Area=sr&ID=SR2504](http://org/bin/articles.cgi?Page=archives&Area=sr&ID=SR2504)>.

44 Kimage, D. (2006), ‘Al-Qaeda Addresses the Jihad-Versus-Resistance Conflict’, *RFE/RL*, 31 July 2006.

45 *Id.*



the likes of which humanity has never seen. Stand with us, for we stand with you against oppression and tyranny.<sup>46</sup>

Despite this global jihad, Al Qaeda did not offer direct help to Hezbollah. Being an international movement, it could not identify with a local war. However, Al Qaeda issued a statement of support, which displeased Hezbollah; the movement then reminded Al Qaeda that it led a resistance struggle and had nothing to do with the philosophy of Al Qaeda: Hasan Hudruj, a member of Hezbollah's Political Council, said the group was opposed to sectarian sedition because it endangered Arab and Islamic issues, existence, future and unity.<sup>47</sup> This clash is interesting as it demonstrates that Hezbollah keeps Al Qaeda at arm's length. It considers it has a different project. Hezbollah and Al Qaeda have clearly different views of what jihad should be. The first considers war and resistance to be legitimate for self-determination, war that is limited to the national territory and that should make as few victims as possible among civilians. Al Qaeda has a universal project and wants to remake the world to its views using violent means and propagating death, as the daily carnage in Iraq illustrates. It is clear that the sympathy Palestinian movements and Hezbollah have in the Arab and Muslim world displeases Al Qaeda. A world divides them: there is the difference between resistance based on a political programme and that based on nihilism.

### **Al Qaeda and Politics**

Al Qaeda is by nature an anti-political object: it opposes the policies of government by force. It does not run for any elections or seek to influence national and international politics through a massive use of violence. Contrary to what is often asserted, Muslims have a hard time identifying with the distorted interpretations of Islam and the so-called political claims made by Al Qaeda.<sup>48</sup> Indeed, Al Qaeda claims to have political aims such as the freedom of Muslim countries from Western influence and secularism, and the liberation of Palestine and Iraq. These aims deal rather with political ideology than being elements of a political agenda or platform. Al Qaeda has solely an ideology of nihilist terrorism.<sup>49</sup> The group exploits the fears, humiliations, frustrations, anger, resentment and desperation of the Muslim population and won popularity by attacking 'iconic targets' through a campaign of terror.<sup>50</sup> For example, Al Qaeda exploits some myths related to the US and its allies, such as the decadence of the West. Besides, US foreign policy has fuelled Al Qaeda's hatred and ideology: the invasion of Iraq has just been a demonstration of Al Qaeda's so-called political explanations about the global clash of civilizations. As al-Zawahiri stated, 'Victory for the Islamic movements cannot be attained unless these movements possess an

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46 *Id.*

47 *Id.*

48 AbuKhalil, A. (2002), *Bin Laden, Islam and America's New War on Terrorism* (New York: Seven Stories Press), 78.

49 Gunaratna, *supra* note 7, 21.

50 *Id.*, 22.

Islamic base in the heart of the Arab region'.<sup>51</sup> However, as mentioned earlier, the legitimacy of Al Qaeda in Muslim hearts and minds is limited: many are angry at seeing their religion and their beliefs turned into killing creeds.

The main political ideas of Al Qaeda are simplistic: the West is decadent, the West brought and still brings war and desolation to Muslim soils, and jihad should be extended to regain former Islamic territories. For the sake and protection of Islam, the US and its allies should be thrown out of the Muslim world. Non-Muslims should be forced to leave Muslim territories. Al Qaeda aims at establishing an Islamic state wherever Muslims live.<sup>52</sup>

In addition, Al Qaeda does not seek to win by the polls or even on the streets: it only wants to spread terror and an ideology that only its followers and supporters believe in. It wants to enforce by force its beliefs and distorted interpretations of Islam, Islamic law and Islamic history. So the politics of Al Qaeda are reduced to jihadism. It is all about ideology and war: total war 'by pen and gun, by word and bullet, by tongue and teeth'.<sup>53</sup> Al Qaeda is an ideologically motivated insurgency,<sup>54</sup> with no real political agenda.

It is, however, clear that bin Laden has some political ambitions within his group: he tries to influence the outcome of elections throughout the world. For example, there was the attack at the Glasgow airport, one day after Gordon Brown, the new Prime Minister of the UK – and originally from Scotland – began his term in office. Bin Laden has also addressed the people of America before the election of Bush. However, these attempts to influence politics have always been linked to terror. The attack on the airport aimed at killing people and the speech to Americans merely aimed at warning them of future attacks.

Al-Zawahiri has expressed the will to focus on political efforts and considers political actions as important as military ones: 'The jihad must dedicate one of its wings to work with the masses, preach, provide services ... The people will not love us unless they feel that we love them, care about them, and are ready to defend them'.<sup>55</sup> Al Qaeda therefore has to develop its communication so as to address peoples' needs and to show them that it cares about the social and economic needs of Muslims. However, this speech is again linked with threats.

Al Qaeda can be called a nihilist terrorist group because its only aim is to spread terror to change the world and make it conform to its view by resorting to violence. However, it must be underlined that nihilism is not proper to Islam even though it is an Islamic group that has turned the creed 'You love life, we love death' into a mantra.<sup>56</sup>

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51 Al-Zawahiri, A.M. (2005), 'Lettre à Ben Laden et à Al Zawahiri', in G. Kepel (ed.) (2005), *Al Qaida dans le texte* (Paris: PUF), 389–92.

52 Gunaratna, *supra* note 7, 27.

53 Al Quds Al Arabi (1998), 'Fatwa urging jihad against Americans', London, 23 February.

54 Russell, R.L. (2007), 'Saudi Arabia's Conundrum and the Al Qaeda Insurgency', in G.P. Hard and A. Aldis (eds), *The Ideological War on Terror: Worldwide Strategies for Counter-terrorism* (London: Routledge), 37–52, 33.

55 Al-Zawahiri in Kepel, *supra* note 51, 75.

56 Al Qaeda statement, 14 March 2004.

Al Qaeda has been severely criticized by groups using political violence, like Hezbollah. Islamic scholars have also been critical of Al Qaeda's fulfilment of religious requirements.<sup>57</sup> It has been said that the rules for jihad were not respected; for example, the killing of civilians is prohibited in Islam. This movement is therefore the example of a terrorist group that will never turn into a political group because it does not wish to do so and will gain nothing in this conversion. Politics is only used as a tool of terror.

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57 Scheur, M. (2005), 'Al-Qaeda's Completed Warning Cycle – Ready to Attack?', The Jamestown Foundation, at <[http://www.jamestown.org/news\\_details.php?news\\_id=96](http://www.jamestown.org/news_details.php?news_id=96)>.

# Conclusion: Toward a Transition Theory and its Implications

Rachael M. Rudolph

This book has been concerned with the transition of resistance movements to political parties and with identifying common characteristics of successful and failed transitions. Transitions are extremely important for the democratization process and cannot be undertaken without the participation of all parties, including violent and non-violent resistance movements. The literature on democratic transition and consolidation fails to examine the positive effect of resistance movement on the process. This book demonstrates that these actors are also important and that for successful transition to and consolidation of democracy they must be included. It also posits that a theory of transition of resistance movements to political parties must be included in the overarching theories on the democratization process. A theory of transition must encompass premises of successful and failed transition. This chapter, therefore, summarizes the findings on successful and failed transition and the implications they have on the overarching process.

## **Successful Transition**

A successful transition is one defined by taking part and winning seats in the governing authority. The groups examined herein who made a successful transition include: the African National Congress (ANC), Hezbollah, Sinn Féin, Batasuna, the Islamic Resistance Movement in Palestine (Hamas), the Islamic Salvation Front (FIS), Union Patriótica (UP) and the Moro National Liberation Front (MNLF). The examination of these cases enabled the identification of common characteristics of transition. These characteristics include: political will, ideology and programme, organization and leadership structure, policies, and internal recognition by the masses. Each of these variables and the effect on a successful transition are examined in this section.

### *Political Will*

Political will is the desire for participation in the life of the state, in political power.<sup>1</sup> All of the groups that made the successful transition demonstrated the presence of political will, but at different time periods. There are two trends, however. The first

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<sup>1</sup> Stojanow, J. (2001), *On the Absolute Rational Will* (online book). Available at <<http://www.jgora.dialog.net.pl/OnTheAbsoluteRationalWill/>>.

encompasses those groups that possessed political will at inception. These included: the African National Congress (ANC); Batasuna; the Islamic Salvation Front (FIS); and Union Patriótica (UP).

The ANC was created for the purpose of attaining equal rights through participation in the governance system of South Africa. Therefore, it had political will since its inception. It was not until the period of 1991 to 1994, after the release of Nelson Mandela, that it began to reorganize itself to make the transition to a political party. The transition was completed in 1994 when it won the majority in the legislative elections and Mandela became the first African president of South Africa. Batasuna was created in 1978 for the purpose of advocating a 'No' to the referendum held in December 1978 on the new Spanish constitution. Therefore, from its inception, Batasuna exhibited political will. It was not until 1979 that it made the successful transition. The FIS was created in March 1989 as a political party, following the new Algerian Constitution that legalized the creation of political parties and authorized their participation in the governance system. Political will was, therefore, present at its inception. It won the majority in the first round of elections in 1990. UP was created in 1985, following the 1984 La Uribe Agreement between FARC and the government. Its aim was specifically the attainment of political power through legal means. Therefore, from its inception, UP had political will. It made the successful transition in 1986 when it won election.

The second trend encompasses the groups who possessed political will and made the successful transition but developed this political will later in the process. These groups include: Hezbollah; Sinn Féin; the Islamic Resistance Movement (Hamas); and the Moro National Liberation Front (MNLF). For Hezbollah, political will was not developed until the end of the Lebanese civil war, when it reorganized itself for the purpose of participating in the Lebanese system of governance. Prior to the civil war, Hezbollah's aim was primarily violent resistance for the purpose of the liberation of Lebanon from Israeli occupation. Sinn Féin was created in 1905 for passive resistance, abstention from attendance at the Westminster Parliament and self-reliance. It was not, however, until after the Easter Rising that it developed political will. Sinn Féin made the successful transition in 1918 when it won elections. Hamas was created in 1987 for the purpose of engaging in violent resistance against Israeli occupation and the right to self-determination. It was not until 2005 that it developed political will. It made the successful transition in 2006 when it won the majority in the Palestinian Legislative elections. The Moro National Liberation Front (MNLF) was created in the late 1960s for the purpose of creating an independent state in Muslim Mindanao through violent resistance. Thus, it was not until the Tripoli agreement in 1976 that it developed political will. However, the MNLF did not make the transition until 1996, when its members were elected to the governing body, the Autonomous Region of Muslim Mindanao.

The existence of two separate trends in the development of political will suggests that as a variable it is necessary but not sufficient for a successful transition. More specifically, it is the development of the will to participate in the national governance system that is necessary. Political will is necessary but not sufficient because it is dependent on the existence of the other variables exhibited by groups

who made a successful transition. At the same time, it reifies recognition and limits fragmentation.

### *Political Ideology and Programme*

Political ideology is the set of ideas by which groups posit, explain and justify ends and means of political action.<sup>2</sup> The political programme is the document upon which those ideas are articulated.<sup>3</sup> Therefore, these two variables are relational. Each of the groups that made the successful transition – ANC, Hezbollah, Sinn Féin, Batasuna, Hamas, FIS, UP and MNLF – exhibited both political ideology and programme. Interestingly, despite four of the groups being Muslim, their political ideologies and programmes were similar at the time of election.

The political ideology of the ANC combines equality and justice for all. It was first developed in the 1923 Bill of Rights and elaborated in the 1943 Bill of Rights. Then, in 1955, it articulated the Freedom Charter, which was later adopted in 1991 as the ANC's election programme. The political ideology of Hezbollah, presented in its programme in 1985, is characterized by liberation from occupation for the purpose of creating an Islamic republic. However, it evolved over the years and can now be described by its emphasis on social justice for the purpose of establishing a more socialist state, which was codified in its election programme of 1992. The political ideology of Sinn Féin, articulated by its founder Arthur Griffith in his book, *The Resurrection of Hungary*, can be described in terms of passive resistance, self-reliance and non-participation in the Westminster Parliament for the purpose of asserting self-determination. Then, following the Easter Rising, its ideology evolved to include participation, which enabled its election in 1918. From then forward, its political programme evolved, taking into consideration the views of the people it represents. In fact, this is a common element among all the groups' political programmes, at the time of and after election.

The political ideology of Batasuna is Marxist in nature and was codified in its election programme of 1979. The political ideology of Hamas, as codified in its Charter in 1988, can be characterized by 'Palestine first, Arab second, and Islam third'. It is first and foremost nationalistic in nature (which is also common among all the groups), but is premised in Islam. It seeks the creation of a Palestinian state, which was first defined as an Islamic state. However, at the time of its election, it was defined as a state of the people's choosing, but one which has a strong role for Islam to play. The latter is codified in its election programme. The political ideology of the FIS can be characterized by the need for unity for all Algerians regardless of political, ethnic, and social differences. Similarly to the other groups, it considers realities of political context and rational calculus of what will benefit society and the polity. The FIS's ideology was codified in its election programme.

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2 Eagleton, T. (1994), *Ideology* (in the Longman Critical Readers series) (London: Longman).

3 Eliasoph, N. (1996), 'Making a Fragile Public: A Talk-Centred Study of Citizenship and Power', *Sociological Theory*, 14:3, 262–89.

The political ideology of the UP can be characterized by a combination of Marxism and democracy. This was codified in its election programme, which emphasized the fight against poverty and social justice. The political ideology of the MNLF began calling for independence and the creation of a state in Muslim Mindanao. It was very much nationalistic in nature despite its use of Islamic discourse. It was articulated in the Moro Congress held each year. However, in 1976, it changed its ideology and relinquished its claim for independent statehood and instead sought autonomy. This was codified in the 1976 Tripoli Agreement and the later 1996 Peace Agreement.

The commonality exhibited in all of the groups that made a successful transition was their emphasis on social justice, democratic participation and nationalism. The presence of a political ideology and programme are necessary but not sufficient for transition. However, the development of both is necessary for reifying the other variables of transition.

### *Organization and Leadership Structure*

Organization and leadership structure refers to the degree and type of structure through which individuals cooperate and make decisions regarding behaviour.<sup>4</sup> All the groups that made a successful transition possessed an organization and leadership structure. The style differed, however. The ANC, Hezbollah and Hamas share a structure defined by consultation, centralized leadership and decentralized implementation. Sinn Féin, Batasuna and the FIS all share a decentralized organization and leadership structure. The UP and the MNLF were the only groups to have a centralized structure. Interestingly, the three successful groups who later failed lacked the combined centralized-decentralized organization structure of the other groups. The presence of organization and leadership structure are necessary but not sufficient variables for transition. They are extremely important for preventing fragmentation.

### *Fragmentation*

Fragmentation refers to the fracturing or dissolution of parts of the structure.<sup>5</sup> This is an interesting variable because, based on the evidence presented in the case studies, fragmentation can be present within groups without them being prohibited from making the transition. With the exception of Hezbollah and Hamas, fragmentation was present in the groups up until the decision was made to take part in the electoral process. It, however, was not present within the top leadership of each group. Rather, it existed only among the outer skirts of the movements. This did not affect the transition because at the time of the election each group appeared publicly unified.

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4 Lowin, A., Hrapchak, W. and Kavanagh, M. (1969), 'Consideration and Initiating Structure: An Experimental Investigation of Leadership Traits', *Administrative Science Quarterly*, 14:2, 238-53.

5 Imershein, A., Rond, P. and Mathis, M. (1992), 'Restructuring Patterns of Elite Dominance and the Formation of State Policy in Health Care', *American Journal of Sociology*, 97:4, January, 970-973.

Therefore, fragmentation affects the process of transition only when it is exhibited in the top leadership or publicly. It has more of an effect on the group maintaining itself as a political party once the transition has been made, which is demonstrated by the three cases that failed.

### *Policies*

Policies refer to plans or courses of action that intend to influence and determine decisions and actions.<sup>6</sup> All of the groups that made the successful transition possessed domestic policies, while only five possessed some form of foreign policy. The five who possessed some form of foreign policy included: the ANC, whose policies were only developed immediately prior to Mandela's release; the Moro National Liberation Front, whose policies became almost non-existent after it took over the governance of ARMM; the FIS, whose policies were very weak; and, finally, Hezbollah and Hamas, who both have extensive foreign policies. The development of policies, both domestic and foreign, enables groups to maintain their legitimacy within the environment in which they are operating. However, the cases covered in this book suggest that groups must have domestic policies for transition. Domestic policies are more significant because they further legitimize groups within the community-at-large. Policies, however, are necessary but not sufficient variables for transition.

### *Recognition*

Recognition refers to the degree of acceptance of an outsider into the governance system.<sup>7</sup> It is an extremely important variable because without its presence, in combination with the other variables, transition is not possible. This, however, does not mean both internal and external recognition must be present. In fact, groups can make the successful transition without the dual presence of internal recognition by the government and external recognition by the international community.

As the successful cases demonstrate, at the time of their election all the groups possessed internal recognition by the masses. If this was not present, then they would not have been elected. They also possessed internal recognition by the government, at least implicitly. Batasuna and the UP were both elected despite not being explicitly recognized. The government granted implicit recognition by recognizing the results of the election. Therefore, explicit internal recognition is not necessary for the transition process. It is, however, necessary for maintenance of the transition to a political party, as is demonstrated by those who failed.

External recognition of the groups by the international community is also not necessary for transition. It is the recognition of the election results and not necessarily recognition of the group that is important. In all the cases, the international community recognized the results of the democratic elections, which thereby granted the groups

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6 Robinson, D. (1997), *Social Capital and Policy Development* (Wellington NZ: Institute of Policy Studies).

7 Grant III, D. and Wallace, M. (1991), 'Why Do Strikes Turn Violent?', *American Journal of Sociology*, 96:5, 117-1150.



implicit external recognition. Moreover, as is demonstrated by the cases that failed, explicit external recognition is also not necessary for groups to maintain their status as a political party, so long as there is internal government recognition and the state is semi-economically viable.

In conclusion, as the cases of the ANC, Hezbollah, Sinn Féin, Batasuna, Hamas, the FIS, the UP and the MNLF demonstrate, a successful transition is made possible by the presence of common transition characteristics. These characteristics include: political will, ideology and programme, organization and leadership structure, policies, and internal recognition by the masses. All of these variables are necessary but not sufficient. Rather, it is the combination that permits the transition from a group engaged in violent and/or non-violent actions to a political party. Some of these variables, such as organization and leadership structure, the presence of fragmentation, and lack of internal recognition by the government, can hinder the maintenance of a group as a political party. They can result in a transition failure.

### **Transition Failure**

A transition failure is defined as one in which the group is prohibited from governing. Of the aforementioned groups, three of them experienced a transition failure. They are Batasuna, the FIS and the UP. As may be recalled from the aforementioned section, all of these groups possessed the characteristics needed for them to become political parties. They also exhibited common characteristics in their failures. The identification of these is important because by knowing and understanding them, other groups can attempt to avoid a similar fate.

The common characteristics exhibited by the failure of Batasuna, the FIS and the UP are the combination of lack of internal recognition by the government, fragmentation as a result thereof, and the context of decentralized and centralized organization and leadership structures. Internal government recognition is necessary for a group to govern effectively after winning elections. It is not sufficient by itself, however. This is demonstrated by Hamas after the Gaza take-over. The Palestinian governing authority withdrew its internal government recognition of the members of Change and Reform. Despite this, they have continued governing in the legislative council but without having cabinet positions, and they have continued to effectively govern in Gaza as of the time of writing. Therefore, internal government recognition alone is not sufficient to produce a transition failure.

Lack of internal government recognition does enable, but does not directly cause, fragmentation within the group. In each of these cases, there was public fragmentation following the government prohibiting the group from governing. This fragmentation was aided by its decentralized or centralized organization and leadership structure. Both Batasuna and the FIS had a decentralized structure, whereas the UP's was centralized. In the successful cases, public fragmentation after the elections was prohibited by their organization and leadership structure.

A decentralized structure is more likely to produce fragmentation, given the right conditions, because there are no mechanisms in place to prevent members from speaking out publicly against the leadership's political decisions. Consequently, it

results in public displays of disunity that threaten internal recognition by the masses. It also further supports the denial of internal recognition by the government. A centralized structure is more likely to produce fragmentation, in a case where the government denies internal recognition, when there are differences of opinion as how to proceed. In the case of the UP, there were conflicts between the leadership as to whether to continue negotiating with the government or to resort to violence. The leadership of the UP, who were also members of FARC, decided to eliminate those who wanted to continue negotiating. Therefore, a centralized organization and leadership structure, in combination with the other variables, aids the transition failure. These three variables – fragmentation in combination with decentralized and centralized organization and leadership structure – taken together are what resulted transition failure.

### **Transition Potential**

After examining cases of successful transition and transition failure, we then examined the Islamic Jihad Movement in Palestine (PIJ), the Moro Islamic Liberation Front (MILF), the Irish Republican Army (IRA), Eusakdi Ta Askatasuna (ETA), the Fuerzas Armadas Revolucionarias de Columbia (FARC), the Abu Sayyaf's Group in the Philippines (ASG) and Al Qaeda. These groups were examined for the purpose of identifying whether they had the potential to make the transition. That is, each group was examined to see whether they exhibited any of the characteristics needed for a future transition. If they lacked future potential, then each group was examined to determine what characteristics inhibit a future transition.

Of the aforementioned seven groups, only two exhibited potential. They were the Islamic Jihad Movement in Palestine and the Moro Islamic Liberation Front. Both the PIJ and the MILF possess a political ideology and programme; a centralized-decentralized organization and leadership structure; domestic and foreign policies; and internal recognition by both the masses and the government. The characteristic that hinders their transition at this time is political will. In the case of the PIJ, their political will is limited to participation in local, municipal and professional elections. They reject participation in the national governing structure; that is, the legislative and presidential elections. Their rejection is based on the structure of those elections being held under the auspices of the Oslo Accords. However, the PIJ has said that if the elections were held in accordance with Palestinian law, then they would reconsider direct participation in the national governance system. In the case of the MILF, they too have a limited political will. They reject the regional governance system under the ARMM in the Philippines. Negotiations are presently underway between the MILF and the Philippine government for the purpose of incorporating them into some form of governing structure in Muslim Mindanao. Therefore, for these two groups a future transition is feasible.

The potential transition for FARC, the IRA and the ETA is unlikely without their undergoing political development. Of the three, FARC has more potential. FARC possesses a political ideology and programme; a centralized organization and leadership structure; and domestic and foreign policies. While a centralized-

decentralized organization and leadership structure would be more beneficial, it would not inhibit a potential transition so long as the group remains un-fragmented. FARC, however, lacks political will and internal recognition by the masses and government. Due to its acts of violence against members of the community, the masses are unlikely to support them without being coerced. It is only recognition by the masses that is needed for them to make a transition, but it will need implicit recognition by the government for them to maintain the transition.

The IRA and ETA are less likely to make a future transition. Both of these groups possess a political ideology and programme; an organization and leadership structure; and foreign policies. While the successful cases demonstrated that foreign policies are not necessarily as important, domestic policies would need to be developed if the IRA and ETA wanted to make a future transition. The absence of domestic policies is not the only characteristic lacking. Both groups are fragmented and lack political will. The IRA does have internal recognition by the masses, but ETA does not, due to its increasing violent activity following 11 September 2001. Therefore, in order to make a potential transition in the future, the IRA and ETA would need to foster those characteristics that are lacking.

There are two groups that are not capable of making a future transition, but for different reasons. These groups are the Abu Sayyaf's Group in the Philippines (ASG) and Al Qaeda. The ASG possesses a political ideology, an organization and leadership structure and foreign policies. However, due to its decentralized organization and leadership structure and lack of a political programme, it is fragmented. In addition to these, the ASG lacks political will, domestic policies and internal recognition by the masses. Like the ASG, Al Qaeda lacks political will, domestic policies and internal recognition by the masses. It does, however, possess a political ideology and programme, a centralized-decentralized organization and leadership structure and foreign policies; and it is not fragmented. Al Qaeda will never make the transition, however, because its aims are not domestic but global.

### **Toward a Theory of Transition**

Is a theory of transition possible based on the findings of all the cases studied? While more cases are necessary for study, there are theoretical premises found to advance a theory of transition from resistance group to political party. A successful transition is one defined by taking part and winning seats in the governing authority. It is made possible by the political will, political ideology and programme, organization and leadership structure, policies and recognition.

For political will, it is the development of the will to participate in the national governance system. The presence of a political ideology and programme are necessary for transition and for reifying the other variables of transition. The presence of organization and leadership structure are necessary, but the combined centralized-decentralized organization structure is more important for preventing fragmentation. Fragmentation affects the process of transition only when it is exhibited in the top leadership or publicly. It has more of an effect on the group maintaining itself as a political party once the transition has been made.

The development of policies, both domestic and foreign, enables groups to maintain their legitimacy within the environment in which they are operating. However, domestic policies are more significant because they further legitimize groups within the community-at-large. In terms of recognition, internal recognition by the masses is necessary, but the transition can be made without internal recognition by the government and external recognition by the international community. Explicit internal recognition, therefore, is not necessary for the transition process. It is necessary for maintenance of the transition to a political party.

External recognition is also not necessary for transition. It is the recognition of the election results and not necessarily recognition of the group that is important. Explicit external recognition is also not necessary for a group to maintain its status as a political party, so long as there is internal government recognition and the state is semi-economically viable. Finally, a transition failure is defined as one in which the group is prohibited from governing. A transition failure is made possible by lack of government recognition, fragmentation as a result thereof, in combination with its decentralized and centralized organization and leadership structure.

## Implications

Given the findings and theoretical premises developed, what are their implications in the overarching democratization process and for the international community? At stake in the transition process are the political and socio-economic orders, struggle over economic resources, and emerging new institutional infrastructures that engage all political actors both domestically and internationally. Influencing transition to and consolidation of democracy are all political actors connected to society. Moreover, transition also influences those political actors.

Political parties are seen as the product of important changes in the state and structure.<sup>8</sup> Likewise, resistance movements are also the product of change. These two political actors, according to Weinberg, are closely linked.<sup>9</sup> It is developments internal to political parties and change that are associated with the appearance and disappearance of resistance groups.<sup>10</sup> Many political parties or party members dissatisfied with the existing order are those who break away to form resistance and those that form political parties, more often than not, come from resistance groups. Theoretically, therefore, it is the means that differentiate the two groups, as the resistance movement chooses the path of resistance. Even with the adoption of resistance as a means for affecting change, links are still present between the two types of political actors and both are vitally important to the transition process.

The cases in this book demonstrate that socio-economic institutions are important. The rise of and support for resistance is due in part to the socio-economic situation. It also demonstrates that participation of resistance groups is important. Without their participation, democratization and consolidation would be unstable,

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8 Weinberg, Leonard (1991), 'Turning to Terror: The Conditions under Which Political Parties Turn to Terrorist Activities,' *Comparative Politics*, 23, 4.

9 Weinberg, *supra* note 8.

10 *Id.*

as is demonstrated by the cases that failed. It adds to the literature by making the argument and presenting supporting evidence that the transition of resistance movements to political parties is an integral part of the democratization process. Resistance movements are concerned with change in the governing institutions of society. They are widely connected to the masses and form part of civil society. Therefore, their inclusion in the process only aids the overarching transition to and consolidation of democracy.

For the international community the transition of resistance movements to political parties is extremely important for the reduction of conflict and promotion of peace. The international community should embrace, without conditions, those who are attempting to make the transition. The imposition of conditions only exacerbates tensions and frustrates the process. Moreover, since external recognition is neither necessary for making the transition nor for its maintenance when a state is semi-economically viable, the imposition of conditions will not alter the process. Again, it only exacerbates tensions and causes frustration. Moreover, it further solidifies support behind the actors whom the international community is attempting to thwart.

The international community and states, however, should do more than embrace groups who are willing to make the transition. They should provide both direct and indirect assistance to groups by fostering the characteristics needed, especially with respect to explicit external recognition. If the goal of the international community is truly the promotion of peace and peaceful relations between states, then assistance in transition is a way in which to ensure these goals. Over time, the use of violence lessens because of the negative political effects it has on the governance process. The transition of these groups will therefore aid in transition to and consolidation of democracy. It will promote peaceful relations among states, which has been the goal of the UN and states alike for more than 60 years. Thwarting the transition of resistance movements to political parties is synonymous with thwarting democratization since the two are interdependent. Moreover, it is hypocritical and encourages conflict rather than the promotion of peace. Peace and stability is only possible by the embracing of and assistance to resistance movements that want to make the transition to political parties.

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