

## Development of Hamas' Position on Women's Roles and Issues (1987 – 2017)

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**ABSTRACT:** This research deals with the development of Hamas' position on the role of women and their issues, and seeks to answer the following questions: What is Hamas' position on the role of women in the political field? What is Hamas' position on women's issues in the Personal Status Law and the Penal Law? Has Hamas planned to impose a certain mode of behavior on women in their general and private affairs? The researcher used the Historical Research Approach. This research consists of an introduction and four sections. The first section focuses on Hamas' position on the role of women in the first Palestinian Intifada, the second on Hamas' position on women's participation in the armed struggle, the third on Hamas' position on women's issues in the Personal Status and Penal Laws, and the fourth on the development of Hamas' position on women's political participation. The study concluded with a set of results, which can be summed up as: Hamas did not impose theoretical restrictions on the participation of women, but it hesitated in practical aspects, especially in military actions. Its position on women's political participation remained affected by public climates. In this field, it benefited from the Elections Law, which obliged all lists to allocate a quota for women. In general, the positions of Hamas ranged from positive practices such as allowing women to participate as ministers or lawmakers in the parliament and to participate in military operations to negative practices such as imposing headscarves at schools, preventing women from riding motorcycles and smoking hookah in public places. It seems, however, that the negative measures were not part of a systematic policy, and they were all canceled later by Hamas.

**KEYWORDS :** *Arab World, Hamas, Islam, Palestine, Women*

### I. INTRODUCTION

The Palestinian woman has played a variety of roles across the history of modern Palestine. She has had multiple social, economic, political and military contributions to the Palestinian society. The position on women's issues, however, has remained an ideologically-based characteristic across the political Palestinian powers since 1967. Therefore, the positions of the Palestinian parties on women's issues and roles varied and differed.

This research attempts to trace the development of Hamas' position on women's roles and issues (1987-2017). It seeks to answer the following questions:

1. What is Hamas' position on the role of women in the political field?
2. What is Hamas' position on women's participation in armed resistance?
3. What is Hamas' position on the Palestinian Personal Status and Penal laws, and women institutions' demands for their amendments?
4. Is Hamas planning to impose a certain mode of behavior on women in their general and private affairs?

The researcher will use the Historical Research Methodology to answer the research questions. The period selected for the study is from 1987, the movement's date of establishment and Charter declaration shortly after, until 2017. Hamas' Charter identified the movement's general principles and policies. The research was divided into the following topics:

**Topic One:** Hamas' Position on Women's Issues and Roles in the First Intifada (1987-1994).

**Topic Two:** Hamas' Position on Women's Military Involvement.

**Topic Three:** Hamas' Position on Women's Issues in the Personal Status and Penal Laws.

**Topic Four:** Hamas' Position on Women's Political Participation and Role in the Government Introduction.

### II. TOPIC ONE: HAMAS' POSITION ON WOMEN'S ISSUES AND ROLES IN THE FIRST INTIFADA.

Statements issued by Hamas Movement during the first Palestinian Intifada show that Hamas' perceived women and their roles from four aspects:

**Firstly**, in its statements, Hamas has highlighted that Palestinian women are victims of Israeli occupation brutality. Hamas repeatedly mentioned women in its 1988 statements to indicate the brutality of the occupation which targeted “children, elderly and pregnant women”, and terrified “children and women” (“Hamas Movement,” 1988a). In May of the same year, Hamas’ periodic statement mentioned how the Palestinian people received Eid al-Fitr with “broken bones of women and the elderly and how Israeli aggression causes “women to burst into tears” and demolishes homes as a collective punishment “for women and the elderly” (“Hamas Movement,” 1988b).

In addition, Hamas mentioned the aggression on “women and children” in its letters to Muslims to intrigue their emotions and make them more aware of the dangerous situation in Palestine (“Hamas Movement,” 1989a). It also spoke about them in its letters to the free people of the world to defame the occupation, and prove its violations of human rights (“Hamas Movement,” 1990).

The above mentioned on women in Hamas’ statements shows that it perceived women as an intriguing element that affects Arabs and Muslims’ emotions, and an important element in uncovering the occupation’s repulsive attacks on the society’s vulnerable groups. Furthermore, Hamas became aware of how women’s issue was a sensitive area for the international public opinion. Therefore, shedding light on the occupation’s oppression of women would help in condemning its crimes, and would remove all of its security justifications behind which it hides while committing crimes against the Palestinian.

**Secondly**, another women issue Hamas’ statements tackled was women’s modesty and attire. During the first Intifada, Hamas called women to “dress modestly and wear hijab so to stop the enemies’ unethical plans from realizing” (“Hamas Movement,” 1988a). In July 1989, Hamas called girls to “dress modestly, commit to Sharia way of dressing, and avoid makeup and adornment”. It also asked women in its statement to participate in “fighting against the wanton display of oneself, vice and immorality” (“Hamas Movement,” 1989b). The Israeli occupation would blackmail the youths involved in extramarital relations to force them to collaborate against the Palestinians. This reflects how Hamas’ call for women’s commitment to Islamic teachings has security concerns as well.

Safi (2007) agreed on the findings taken from Hamas’ statements. He explained how the Movement Islamizes the morals of society from a security aspect and uses them as a means to resist the occupation. It also raises security awareness among women to avoid any Israeli breaches of the security of the Palestinian society (Safi, 2007).

**Thirdly**, in its statements, Hamas called upon women to participate in the struggle against the Israeli occupation. Hamas believed that women’s role in reinforcing social solidarity was important (“Hamas Movement,” 1988a). It emphasized during the peak of the Intifada (November 1988) that women’s steadfastness was an honorable act (“Hamas Movement,” 1988c). The Movement called women to stand by men in protecting national rights (“Hamas Movement,” 1991) in their attempt to oppose Palestinian participation in the Madrid Conference of 1991.

It is of importance to pause and reflect on the First and Third Aspects. While the First Aspect showed women as a vulnerable member of society and included them with children and the elderly, the Third Aspect showed women as an important part of society. It presented the woman as a person with duties to achieve solidarity, to stand side by side with men, and to protect national rights. It also acknowledged her steadfastness as a proud act. An important question, here, arises: How could Hamas ask from a ‘vulnerable’ group to do such great tasks? To answer this question, one should review the three articles in which Hamas Charter mentioned women: Articles 12, 17 and 18. In Article 12, Hamas considered Jihad to be individual obligation (*fardayn*) for both men and women in case of occupation. Women in such circumstances can go for Jihad without taking the husband’s permission. In Articles 17 and 18, Hamas limited women’s duties to their homes. These Articles considered raising children and building strong families as two essential elements, and that women should be well-educated to fulfill such role (“Institute for Palestine Studies,” 1988).

The above mentioned indicates a theoretical contradiction in Hamas’ position on women in its Charter. How could women, as mentioned in Article 12, have the permission to play a great part in Islam (that she can go for Jihad without anyone’s permission) while the Islamic Movement limits their role to their homes and children and perceives that as their greatest possible contribution to freedom?

**Fourthly**, Hamas considered the woman as the protector and guardian of her home. Hamas saluted “the patient wives and sisters who said bid farewell to their loved ones with patience and steadfastness, and continued to teach generations the values of Jihad and faith” (Safi, 2007). This goes in harmony with the conventional role of women in the Palestinian community. However, scholars criticized such roles. Safi (2007) called Hamas to stop perceiving women only as mothers, sisters, wives and daughters. He demanded Hamas to treat the woman as a partner in human development and in making decisions in the political field (Safi, 2007).

Tzoreff (2007) mentioned how Article 17 in Hamas Charter, published in 18/8/1988, focused on women’s role in raising men. This sort of discourse, she believed, limited the woman’s role to her house, and to being a mother. Therefore, if a woman engages with armed acts, she will deprive society of giving birth, which is her

primary role. Thus, her role in the struggle against the occupation is to sacrifice her children, after having carried and raised them, with patience, steadfastness, consent and happiness (Tzoreff, 2006).

It could be said that Tzoreff (2007) exaggerated in her talk on how women do not have the will or desire to have children. She considered women's bodies as a community property and that women do not have any role in influencing the future of their children. This contradicts with the reality of women in the Palestinian Community. How women feel about their children differs. Some allow their children to join the struggle and fight; however, others prevent their children from doing so. While some ululate when their children are awarded martyrdom, others burst into tears.

### III. SECOND TOPIC: HAMAS' POSITION ON WOMEN'S INVOLVEMENT IN THE MILITARY FIELD

It was stated in Hamas' Charter Article (12) that Jihad was obligatory to all members of the Muslim Community if any Muslim land is occupied. This obligation clearly included women as well. However, in Hamas' leadership's statements, women's direct involvement in military work (such as the use of weaponry and explosives) was not preferable despite their recognition of women's right to do so. This research presents several statements by Hamas' leadership on women's involvement in military work as they soon after approved women's involvement as Al Aqsa Intifada (2000-2005) continued.

In this regard and at the beginning of Al Aqsa Intifada in 2000, Sheikh Ahmed Yassin, the founder and spiritual leader of Hamas, said, "Women should self-learn and know how to use weapons at home through their husbands, children and relatives so that if the enemies invade their homes they can defend themselves and their families. Women need to learn how to use knives because no one can blame a woman for defending her rights" (Khalidi, 2016). Sheikh Yassin, nonetheless, did not prefer to send women to resist with bombs, or carry weapons and be involved in direct operations, so that women were not later to be pursued or hunted (Khalidi, 2016).

Sheikh Hassan Yussuf emphasized Palestinian women's right to resist the occupation, basing his emphasis on how the Prophet (peace be upon him) used to draw lots for women who wanted to participate in the ghazawat (expeditions). The Prophet, Yussuf mentioned, emphasized women's right to participate in Jihad (Al Ashqar, Ismail; Bseiso, 2004).

Note here that women participated in Hamas' different armed resistance acts. For example, in the First Intifada women sheltered the fighters who could escape the Israeli forces. Mrs. Maryam Muheissin (Um Nidal Farahat) is a great example. Her house remained an operation room for years. She sheltered Emad Akel, helped hide his weapons, and offered her home for planning operations. Her son, Nidal, was well aware of that, too. Um Nidal continued to support and harbor wanted Qassam fighters during the rule of the Palestinian Authority and Al Aqsa Intifada (*Personal Communication with Um Nidal Farahat's Son*, 2015).

Hamas' female members were emotionally affected by the Intifada. Some of them even demanded to carry out martyrdom bombing operations; however, Hamas refused such a method for women. One of the most eminent examples is Darin Abu Eisha, from Nablus, who went to Jamal Mansur, Hamas' Official, asking him to allow her to go in July, 2001; but he refused. This made her carry out the operation with al-Aqsa Martyrs' Brigades on 27/2/2002 (Alvanou, 2007).

After long pressure and demands from women to participate in the martyrdom bombing operations, Hamas' leadership had to accept. On 15/1/2004, Rim Al Riyashi carried out a bombing inside Beit Hanoun Checkpoint (Erez), north of Gaza Strip, leaving 4 Israeli soldiers dead and 10 injured. Al Riyashi's story is similar to Fatima Al Najjar who carried out a bombing attack on 23/11/2006 (Abu Zaydah, 2011).

Regarding Palestinian female political prisoners in Israeli jails, several women such as Samar Sbeih, who was 22 years old when she was arrested in 2005, helped in making explosives. Several women, along with their husbands, helped shelter the Palestinians wanted by the Israeli occupation forces. Malak Al Khinfa from Nablus is another example. She was arrested on 19/1/2005.

After several successes, Hamas was encouraged to involve women in resistance acts against the occupation. Hamas' female department organized a demonstration on 3/11/2006 led by the MP Jameela Shanti calling for the release of the freedom fighters who were surrounded in Al Nasser Mosque in Beit Hanoun by the occupation soldiers. The female demonstrators managed to save the freedom fighters from the occupation soldiers.

As a result, though, women's involvement in martyrdom operations was defamed, especially in foreign studies. Most foreign and Israeli studies perceived martyrdom operations as suicidal ones whose executors suffered from psychological or social problems or wished to repent for sins they had committed. For example, Darin Abu Eisha, 22, carried out a martyrdom operation on 22/2/2002. However, one of the foreign studies focused on her marital status and the fact that she was divorced, and how after her divorce she became a student at An-Najah University, and then joined the Islamic Bloc. One month after her divorce, both her brother and ex-husband were martyred during a confrontation with the occupation forces. The study claimed it was divorce that led her to carry out the operation and die a martyr.

As for Rim Al Riyashi, the same study considered her operation as a punishment from Sheikh Ahmed Yassin for she had defamed her family's honor although she was married and had two kids.

Yarega(2011) considered women's involvement in 'suicidal operations' a shocking act since women are emotional creatures and non-violent. Therefore, the question arises, "What would make a woman kill?". In addition, Yarega (2011) mentioned how 'suicidal operations' have been carried out around the world, and women have played parts in their execution. Such operations have helped their executors achieve their political goals. One of the most famous incidents happened with the Liberation Tigers of Tamil Eelam, who got their independence in Sri Lanka in 1990. Another example is the Kurds and Lebanese who fought against the American forces in 1983. Furthermore, women's involvement in carrying out similar operations has tactical goals since women's appearance does not draw suspicion, and women can surround their stomachs with explosives and pretend they are pregnant (Yarega, 2011).

Israeli newspaper Yedioth Ahronoth was the first to publish Al Riyashi's story as a woman who carried out the operation to pay for her sin. The Newspaper claimed she had cheated on her husband. Then, Associated Press Agency, which quoted a security source, claimed that Al Riyashi's husband forced her to carry out the operation because she had committed adultery. The Agency also claimed that her husband, Hamas' activist, forced her to do so in order to restore the family honor, and that her lover recruited her and gave her the explosives. Alvanou (2007) said that Rim's fate was the natural course of events in the Palestinian community. She also mentioned that Al Riyashi family refused to talk to the media and did not hold a funeral for her.

Fatima Al Najjar took part in the First Palestinian Intifada in 1987. She helped the fighters throw stones after she had broken them down for them. She used to watch the streets and free the stone throwers from Israeli forces. In one of the most famous incidents that took place in Jabalia village, Al Najjar grabbed the bone of a calf and hit Al Halabi, an Israeli commander back then, with it. He was left with a scar on his face. After the Israelis withdraw from Gaza, the commander was asked about Jabalia and he answered, "How can I forget Jabalia where one of their women left a scar on my face?".

Through investigating the different opinions and positions, Safi concluded that Hamas had no impediments in terms of Shariah. They rather had procedural considerations. Therefore, woman's martyrdom-oriented Jihad is exceptional and man is put forward in normal circumstances.

Hamas celebrated all the mothers that had encouraged their sons on Jihad such as Um NidalFarahat, Um Mohammed Hillis, Um Ahmed Al-Abid, Um Bilal Rayyan and martyr Ahmed Jouda's mother between 2002 and 2003 (Ismail, 2016).

Safi concluded that Hamas took the lead in understanding the woman's political and military role from a juristic perspective combined with societal concepts, causing confusion between theory and practice.

He also found that Hamas acknowledged women's juristic right to undertake Jihad, but they were conservative when it came to the direct military work due to the nature of the conservative society. They believe that the woman's essential role is in raising children and supportive military works, and her participation in the direct military work is an exception. He pointed that Rim al-Riyashi, who executed a military operation on 14/1/2004, was an exceptional case that came after al-Riyashi's insistence rather than the movement's decision. Safi also considered that the action of Fatima al-Najjar, who blew herself in the occupational forces proceeding in the north, came as a field decision especially that she was an old woman aged almost seventy.

Amer (2005) stood against the attempt to deform the martyrdom work of women through a study he published in Samed Journal in 2005. He compiled all the statements and articles in which he had confirmed that Hamas' sending of Rim al-Riyashi was a Jihadi act of resistance that came in the context of developing the woman's participation in the Palestinian resistance in general and Hamas' resistance, in particular (Amer, 2005).

This shows that Hamas has various references in their view to women's participation in the military work:

- 1- The religious consideration does not mind, but rather imposes, women's participation –just like men— in the struggle when countries are invaded.
- 2- The society accepts women as martyrs but it does not encourage their participation, especially that the resistance has not invested in the capacities of most men yet.
- 3- Security issues may arise from women's participation in the military works.
- 4- There was pressure from girls to participate in the military work during al-Aqsa Intifada, which –added to the theoretical contradiction discussed in the previous point— resulted in indecision towards activating the woman's role in military work. The position changed from theoretically approving but practically forbidding her participation to accepting her engagement in the execution of military operations.
- 5- Hamas has made some legal amendments in matters related to women and gave them privileges in terms of keeping their children's custody and maintaining their maiden name after marriage. Nevertheless, some amendments –such as the definition and penalty of adultery and the feminization of girls' schools- will escalate the conflict between the feminist movements and Hamas.

#### IV. TOPIC THREE: HAMAS' POSITION ON WOMEN'S ISSUES IN THE PERSONAL STATUS AND PENAL LAWS

Raising discussions on women issues was revolutionized when the Palestinian Authority was first established in 1994. Most of the issues were raised by externally-funded NGO programs and included violence and discrimination against women and demands to change the Personal Status Law and increase the role of women in administration and politics through determining a specific quota for women.

Hamas movement did not rush into reconsidering the Personal Status Law or the Penal Law, but it found itself surrounded by continuous debate through seminars, media and studies conducted by feminist organizations. In this regard, feminist organizations' demands in terms of law amendments included (Lahlouh, 2010):

- 1- Limiting polygamy and binding it to the judge's approval,
- 2- Determining a marriageable age of 18 years,
- 3- Allowing the woman to get married by herself without the need of her guardian,
- 4- Forcing equity between women and men in inheritance, and
- 5- Developing the legal system to make it more protective to women and deterrent to anyone who attempts to harm them.

Hamas leaders did not speak much about the Personal Status and the Penal Laws, but the movement's position on them can be drawn from an interview with Ahmed Abu Halabiya, Hamas Parliament Member, and from the amendments that the Legislative Council in Gaza has made on the two laws in 2006. The amendments were applied only in Gaza Strip.

Abu Halabiya outlined Hamas' position on amending the Penal Law of the year 2006 saying that the movement did not mind amending the Law as long as the amendments did not contradict with the Islamic Sharia. He added that the mitigating excuse needed to be reconsidered and the crime of adultery could only be proved with many Shariah requirements (*Personal Communication with Hamas MP Ahmed Abu Halabiya, 2006*).

The Legislative Council made two amendments to the Personal Status Law to improve women's rights in children custody cases. Act 1 of the amended Ottoman Personal Status Law in 2009 stated in Clause A of Article 1 that the judge had the right to determine the age custody of children and women may be granted the custody of their children till age 9 for boys and age 11 for girls. According to clause B of the same Article, the widow is also granted the custody of her children until she remarries ("The Parliament Newspaper," 2008).

Under Act 2 for the year 2008, which is the amendment of the Personal Status Law number 2 for the year 1999, the Legislative Council granted women the right to maintain their maiden name after marriage. They are now allowed not to change their last names on their ID cards, but required to change the social status to "*married*".

As for the Penal Law, the bill added under Law number 3 for the year 2009 (the amending Law of the Penal Law number 74 for the year 1936) included a new Clause to Article 152 of the effective Law in the Gaza Strip. The new clause stipulates that the crime of fornication is deemed as rape even if the female's consent is proved.

Law number 7 by the Organization of Martyrs' Families' Rights for the year 2009 granted special privileges to martyrs' girls and wives such as free education and university education. The Education Law for the year 2013 stated that females must be granted all their rights. However, Article 74 stipulates that girls at high schools must be taught by female teachers, which was not stated in the Palestinian Youth Law for the year 2011.

The aforementioned laws clarify that the general position adopted by the Change and Reform Bloc focuses on improving women's conditions as well as protecting them and granting them more rights. The two amendments related to fornication and the all-female teachers at girls' high schools indicate Hamas' attempt to Islamize the society ("The Parliament Newspaper," 2008).

Despite such amendments, the woman's cause remains debatable between the feminist current and Hamas.

#### V. TOPIC FOUR: HAMAS' POSITION ON WOMEN'S POLITICAL PARTICIPATION AND ROLE IN THE GOVERNMENT

One can argue that Hamas' position has become decisive on woman's participation in the political work since the first Intifada. However, the conflict remains on the extent of her participation. When the municipal elections took place in the years 2004 and 2005, Hamas took part in all stages of the municipal elections as well as the 2006 legislative elections.

Some researchers believe that women's participation came as a result of the legally-imposed women quota. They attribute this conclusion to the fact that Hamas did not put forward any women for the electoral wards. This was justified by Hamas' disinterest in the loss of chairs due to putting women forward for election, especially that Hamas has the intention to remap the Palestinian political system.

In his research, Safi listed a number of proofs that, in his opinion, confirmed that Hamas' inclusion of women in the political field was not genuine. For instance, only one ministerial chair was granted to women in Ismail Haniya's Government. The researcher considered this evidence of Hamas' masculine-oriented thought and clear contradiction between the declared religious discourse and the practice.

Safi (2005) stressed that the choice of women for Hamas' legislative elections list relied on the struggle history of these women and their families in order to win the voters. He mentioned the names of Mariam Moheisen (a mother of martyrs) and Mona Mansour (a wife of a martyr).

This shows that the researcher missed the fact that Hamas' female candidates were chosen through internal elections in different regions; explained Huda Naim, Member of the Legislative Council (*Personal Communication with Huda Naim, Member of the Legislative Council.*, 2019).

Once Hamas won the majority of the Legislative Council chairs, journalists and feminist institutions raised questions on Hamas' plans and orientations in the matters related to women (Udwan, 2010). Amid such circumstances, Hamas made excessive efforts to assure the feminist movement. For instance, Haniya's speech that was delivered by the Council Member Jameela Shanti stated that "the various segments of the feminist movement will be of crucial interest and Hamas' undertaking of authority will support women and encourage them towards bigger achievements.

The general discourse, once Hamas won the elections in 2005 and 2006, kept discussing the general principles and never got deep into the details of women's role and position nor the things that could be changed.

Capturing the activities that are documented in the Parliament journal that is published by the Palestinian Legislative Council in Gaza reveals the great role played by Hamas' female Parliament Members. In the West Bank, these women defended the rights of the Palestinian captives, especially their fellow members who were captivated in the Israeli prisons. Their efforts included meetings with the Red Cross ("Women for Palestine," 2019), and media statements that condemned the silence of the President and the international organizations.

Hamas' female Parliament members also took courageous moves against the arbitrary Israeli actions against charity societies and commercial centers through declaring political positions, issuing media statements and demanding the activation of struggle in support of the prisoners. Hamas' MPs in Gaza, Huda Naim and Jameela Shanti, filed an objection to the report of the Committee on Internal Affairs, Security and Local Governance regarding the security coordination. The two deputies demanded that the report include the details of the damages caused by the security coordination to the Palestinian people ("Parliam. Newsp.," 2008b).

MP Mansour also condemned what she called the kidnap of deputies. Shanti said that arresting deputies was a new phenomenon that had never been witnessed by people before. Sameera Halayqa stressed the necessity to initiate an Arabic and international mobilization that would expose the occupation's policy and to file complaints against it in international courts ("Parliam. Newsp.," 2008c).

Hamas' Legislative Deputies also had clear positions on the occupation's actions against the Palestinian people. For instance, Mansour denounced the occupation's policies against charity societies and commercial centers as well as the frequent arrests of men and women ("Parliam. Newsp.," 2008a).

Being assigned Head of the Committee, MP Naim was also part of the events undertaken by Palestinian Legislative Council's Committee for Human Rights and Censorship. Such events included a briefing visit to Rafah Crossing where the committee oversaw the work progress and expressed their concern with any developments there ("Parliam. Newsp.," 2009a).

Naim was also in the reception of the Algerian delegation who visited the Strip with Miles of Smiles Convoy 20. She commended the efforts made in support of our people in humanitarian and political matters. She also pointed out that the convoy was a distinguished example of breaking the siege on Gaza ("Parliam. Newsp.," 2013a). The female Deputies also celebrated the Palestinian Child Day; Naim received a group of children as part of a project called "Development of Children's talents and Capabilities" executed by Asala Organization for Palestinian Popular Heritage and Development. Naim stressed that the Palestinian Child Law is comprehensive in comparison to the laws of neighboring countries as it protects the rights of children more comprehensively ("Parliam. Newsp.," 2013b).

Hamas female deputies stood against the violations committed by the Palestinian Authorities against Hamas' organizations and followers. For instance, Mansour stated that the murder of the citizen, Fadi Hamadna, was a serious development. She pointed that it was the fifth time one of the Palestinian youth dies of torture during investigations in the PA's prisons in Ramallah and the fifteenth death due to the oppression policy adopted by the security bodies in the West Bank ("Parliam. Newsp.," 2009b).

Halayqa denounced the oppression in the West Bank, as it aimed to exclude Hamas from the scene. She said, "The PA's security bodies have been taking their strength from the occupation to force oppression in the West Bank for the past five years. They turn the blind eye to the simplest human rights, and do not care about the citizens' suffering from the police policy that imposes fear, intimidation and denial of rights ("Parliam. Newsp.," 2013d).

The female Parliament Members played a major role in demanding the international forces to break the siege, maintain UNRWA's activities and grant the refugees' right of return. During a session held by the PLC to discuss the destruction in the Strip, MP Naim demanded the UNRWA to undertake its responsibilities towards the refugees and not to cut down the aids. She also demanded the international society to pay the dues of UNRWA and called upon the UN and the entire world to lift the unprecedented siege crisis ("Parliam. Newsp.," 2013c). In a session held by the PLC in a sit-in tent in Rafah to commemorate two years of siege on Gaza Strip,

both Mansour and Halayqa emphasized that the decision of lifting the siege was the responsibility of the Arab countries and the Palestinian Authority in Ramallah ("Parliam. Newsp.," 2014).

More light can be shed on women's political participation through capturing Hamas' orientations in matters movement related to women. Through taking part in the Tenth Government formed by Ismail Haniya, he has tried to take on where the Ninth Government left off. The movement worked to accomplish a "Woman's Rights Charter" to state the woman's position and specify the policies that need to be adopted to achieve women empowerment. The ninth Palestinian government in 2005 had already been working on this through cooperation between the Ministry of Women's Affairs, led by Minister Zaheera Kamal, and the General Union of Palestinian Women, led by Salwa Abu Khadra (*Agreement between the Ministry of Women's Affairs and the General Union of Palestinian Women*, 2005).

When Hamas formed the Tenth Palestinian Government was formed in 2006, Minister of Women's Affairs, Mariam Saleh, decided to take on with the work to finish the Charter. She managed to obtain approval from the United Nations Development Fund for Women (UNIFEM) to fund the project (*A Letter from UNIFEM to the Ministry of Women's Affairs*, 2006). She told the Union of Palestinian Women that the Government was planning to continue the work (*A Letter from Mariam Saleh, Minister of Women's Affairs, to Salwa Abu Khadra, Security General of the Union of Palestinian Women*, 2006), and wished to form a committee with all necessary specialties to improve it (*A Letter from the Ministry of Women's Affairs to the General Union of Palestinian Women*, 2006). However, the Union sent to the Ministry telling them that the Charter had been completed and that the Ministry's notes could be discussed later (*A Letter from the General Union of Palestinian Women to the Ministry of Women's Affairs*, 2007).

The Charter was never accomplished because the Tenth Government did not last for long and the problems have clearly started since day one. This caused regression of the topic on the government's priority list. Another reason is that the working staffs of the Ministry of Women's Affairs and the Union of Palestinian Women adopted the gender-based approach to women's empowerment. However, Hamas' Minister, Mariam Saleh, and her very small team tried their best to bridge the gap between the Movement's basic positions and the gender-based vision towards women empowerment.

After seizing control over the Gaza Strip in June 2007, Hamas Movement tried to activate the woman's role through forming the "Raising Women's Awareness Coalition" which worked by the announced vision to provide loans for women to start their own small business. The Coalition also worked to reinforce women's participation in jobs and build a distinguished women cadre.

The activities of the Coalition reveal that Hamas gave the highest priority to the woman's role inside the family. This is clear from the various activities that strengthen women's skills and capabilities inside their families ("Ministry of Women Affairs," 2010).

During the time of Hamas governance over the Gaza Strip (2006 – 2014), various organizations interested in marketing the gender-based vision of women's rights came at the movement, demanding it to amend the Penal Law. These organizations attributed all women murder cases to the incapability of the legal system to stop them. This can be seen in the Independent Human Rights Commission's reports for the years 2008 (*The Fourteenth Annual Report of ICHR in 2008*, 2008), 2009 (*The Fifteenth Annual Report of ICHR in 2009*, 2009) and 2012 (*ICHR 2012 Report*, 2012). However, the 2013-report did not speak about the murders that took place in defense of family honor. It rather listed murders of women in mysterious circumstances and said there was a need to amend the Penal Law.

The report writers assumed that the killings that happened in mysterious circumstances were usually related to family honor (*ICHR 2013 Report*, 2013).

This shows that Hamas did try to develop its positions on matters related to women's roles. The movement even tried to develop a national conceptual charter in partnership with all intellectual currents through the Ministry of Women's Affairs. The charter aimed to identify the woman's position as well as the referential frameworks needed to develop the women-related policies in the Palestinian Territories. However, some governmental departments took things too far and tended to impose Hijab at girls' schools and on female lawyers when they went to courts. Other examples include forbidding women to smoke hookahs in coffee shops or ride motorcycles behind their husbands.

Between the two extremes, the Government in Gaza appointed a young female in her twenties as a spokeswoman of the Government. In addition, Naim and Shanti were both elected as Secretary General of the PLC in Gaza and both participated in the Council's official delegations abroad.

## VI. CONCLUSION

- 1- Hamas focused on the occupation's violations of Palestinian women's rights to expose the occupation to the international public opinion and call upon the Arab and Muslim compassion.
- 2- Hamas considered that the Palestinian women's commitment to Hijab was crucial to save the Palestinian society from falling prey in the traps of the occupation to force Palestinians to collaborate as spies.

3- Hamas believed in the woman's role in achieving solidarity and maintaining national rights. At the same time, Hamas put women, children and elderly in the same category especially when exposing the occupation's violations. This discourse holds some contradiction, as the woman is included in the weak category and yet required to take part in social and political activities.

4- Hamas' charter itself holds this contradiction, as it considers armed struggle an obligation to both men and women, yet confines the woman's jihadi role in raising generations and taking care of the family home.

5- Hamas' position on women's participation in the military work has changed, as the beginning witnessed theoretical acceptance followed by abstinence from rejection and finally hesitated acceptance.

6- Hamas made legal amendments in favor of women and gave them privileges in terms of keeping their children's custody and keeping their maiden names after marriage. However, some amendments such as the definition and punishment of adultery as well as the feminization of girls' schools will escalate the conflict between the feminist movement and Hamas.

7- Hamas tried to develop its position in terms of women's roles and issues. They amended laws to improve women's rights to keep their maiden name after marriage and keep their children's custody. They also launched a coalition project to raise women's awareness. However, the actions on the ground remain between attempts to empower women through appointing female ministers, administrators and police directors and attempts to impose Hijab at schools and forbid women from riding motorcycles or smoke hookah in public places. Nevertheless, negative attempts were not part of a systematic policy and Hamas took them all back.

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