EUROPEAN UNION'S FOREIGN POLICY TOWARD THE PALESTINIAN
ISLAMIC RESISTANCE MOVEMENT (HAMAS):
INCONSISTENCIES AND PARADOXES

Submitted by

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I certify that all material in this thesis which is not my own work has been identified and that no material has previously been submitted and approved for the award of a degree by this or any other University.

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Abstract

Investigation of the European Union's foreign policy towards Hamas acquires its significance as a topic from the undemocratic way in which the (supposedly) democratic EU pursues its strategy since, according to its own rhetoric, this should have been normatively undertaken. In examining inconsistencies and paradoxes in the EU discourse towards Hamas, and the determinants underlying such contradictions, the study scrutinizes questions of 'how' and 'why', focusing mainly on identities and self-interests as lenses borrowed from constructivism and neorealism, as well as the influence of external actors on the way the EU functions towards Hamas.

Behind such inconsistency stands a cultural-historical heritage, part of the mind-set of the European decision-makers. The contradictory status of the association between the two actors is formed by the main interactively-constructed and conflictual socio-political components arising from the reality of the EU as a stability-seeking and security-driven actor in Palestine, and the self-definition of Hamas as a freedom-fighter striving for the liberation of its lands. Being defenders of the culturally-drawn meanings given by the EU to Palestine as a 'promised land' for the Jews within a two-state solution, and those given to it by Hamas as an 'Islamic Waqf' is another field of identities' clash between the two actors. The Israeli factor, regarded in practice as a fixed, constant and purely Western and European interest in the Middle East, along with the dominant influence of the US on its EU partner, are emphasized as main determinants of EU policy towards Hamas.

On the macro and micro levels, the determinants of the EU decision making process, and the way the EU functions when its perceived interests are threatened must be understood when any decision on relations with the EU is taken, particularly by the Palestinian resistance factions. At the same time, the EU should also examine its own inconsistencies in dealing with Hamas as a 'terrorist' organization and boycotting its democratically-elected government, in order to avoid repeating the 'trial and error' approach with the new powers rising in the 'Arab spring' countries, and to adapt itself to change in Palestine accordingly.

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Above all, I owe it all to Almighty Allah who gave me patience, wisdom and capability to complete this work.

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List of Abbreviations

BRIC   Brazil, Russia, India and China

CDA   Critical Discourse Analysis

CFSP   Common Foreign and Security Policy

EAD   Euro-Arab Dialogue

EC   European Community

ECSC   European Coal and Steel Committee

EDC   European Defence Community

EEAS   European External Action Service

EEC   European Economic Community

EESC   European Economic and Social Committee

EMP   Euro-Mediterranean Policy

ENP   European Neighborhood Policy

EP   European Union Parliament

EPC   European Political Cooperation

ERP   European Recovery Program,

ERRM   European Religious Reform Movement

ESDP   European Security and Defence Policy

EU   European Union

EUBAM   EU Border Assistance Mission

EUC   European Union Council

EUDM   European Union Decision Making

EU EOM   European Union Election Observation Mission

EUFP   European Union Foreign Policy

EUHR   European Union High Representative

EUR   European Union Representative

EUSS   European Union Security Strategy

FDI   Foreign Direct Investments

FPA   Foreign Policy Analysis

FPI   Foreign Policy Implementation

FPDM   Foreign Policy Decision Making

Hamas   Palestinian Islamic Resistance Movement

IHL   International Humanitarian Law

IO	Israeli Occupation
IR	International Relations
IRA	Ireland Republican Army
IRM	Islamic Radical Movements
ISF	Islamic Salvation Front
MB	Muslim Brotherhood Movement
ME	Middle East
MENA	Middle East and North Africa
MEP	Member of European Parliament
MEPP	Middle East Peace process
MEQ	Middle East Quartet
NATO	North Atlantic Treaty Organization
NGOs	None Governmental Organizations
NTA	New Transatlantic Agenda
NUG	National Unity Government
OIC	Organization of the Islamic Conference
OPEC	Organisation of Petroleum Exporting Countries
OPT	Occupied Palestinian Territories
P2P	People to People
PA	Palestinian Authority
PEP	President of the European Parliament
PLC	Palestinian Legislative Council
PLO	Palestinian Liberation Organization
QCA	Qualitative Content Analysis
QMV	Qualified Majority Vote
TIM	Temporary International Mechanism
UfM	Union for the Mediterranean
UK	United Kingdom
UNGA	United Nations General Assembly
UNGARs	United Nations General Assembly Resolutions
UNRWA	United Nations Relief and Works Agency
UNSC	United Nations Security council
US	United States
USSS	United States Security Strategy

WMD	Weapons of Mass Destruction
WTO	World Trade Organization
WWI	First World War
WWII	Second World War

Chapter One: Methodology and Literature Review

This chapter consists of two sections; the first of which outlines the introduction, objectives, research questions, significance and methodology of the study, while the second is based on reviewing a sizeable collection of secondary sources relevant to the subject under investigation.

Introduction

It is clearly understood that the EU is one of the main players in today's politics, not only in the Middle East, but also around the world. Although the notion of a united Europe emerged only 60 or so years ago, the main countries involved in shaping the political and economic trends of such an entity have been in touch with the ME region for hundreds of years.[1] Even after the end of colonialism the relationship between these countries and the Middle East has continued, since, due to the interests of European states in the Middle East,[2] the political and economic ties between these countries and their previous colonized states are in various ways still alive and active. Since the EU, following on from the EEC and the EC, began in 1993, it has played a significant role in the peace process between the Palestinians and Israelis, showing particular support for the Palestinian Authority (PA) security forces, and other infrastructural works on the ground.[3] However, despite the EU's desire to play a substantial part in the political side of the peace process, the US has maintained a monopoly in this process[4] and has not allowed the EU or any other powers to play a role of this kind.[5]

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[1] Louise Fawcett, *International Relations of the Middle East* (New York: OUP, 2005). p. 20-35

[2] Ibid. p. 82-85

[3] Natalie Tocci, 'What Went Wrong? The Impact of Western Policies Towards Hamas & Hizbollah', in Richard Youngs and Michael Emerson (eds.), *Political Islam and European Foreign Policy: Perspectives from Muslim Democrats of the Mediterranean* (Foreign and Security Policy, CEPS Paperbacks, 5/ 2007; Brussels, 2007). p. 14

[4] Alain Dieckhoff, 'The European Union and the Israeli-Palestinian Conflict ', *Inroads Journal, /*16 (2004), 52-62. p. 54

[5] Amine Hutaite, 'Euro-Israeli Military and Security Relations and Agreements and Their Impacts on the European Foreign Policy [Translated]', *The Europeans Foreign Policy towards the Palestinian Issue* (Beirut: Al-Zaytouna Centre for Studies and Consultations, 2010). p. 16; also Costanza Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*, eds Michelle Egan, Neill Nugent, and William Paterson Obe (Palgrave Studies in European Union Politics; New York and UK: Palgrave Macmillan, 2010). p. 35

It is noticeable that the EU's foreign policy toward Israel has not substantially changed since the 1950s. Europe is in fact still Israel's second main supporter and protector after the US.[6] Nevertheless, despite the support given to Israel by the EU, its role as a full actor in the peace process remains unrecognized by the Israeli side. Thus, although the EU has tried to play a prominent role in this process, for several reasons that are explored below, Israel has not placed its entire trust in the EU.[7]

On the other hand, the Islamists in Palestine, represented by the Hamas movement have been definitely contributing to the Palestinian political scene before the Oslo Agreements in 1993, while currently have more political power than ever before.[8] The increasingly powerful presence of the movement poses a challenge for all parties involved in the Palestinian issue. Meanwhile, Hamas has succeeded in building a base of popular support among Palestinians and abroad, and has shown itself to be remarkably adept at putting many obstacles in the path of a peace process that does not correspond to its perspective on the rights of the Palestinian people. Commonly described as a 'radical faction' Hamas has ensured by both political and violent means over time, that it is so strongly-rooted and effective as a movement that no peace will be achieved without its imprint.[9] Despite the severe wars which Hamas has faced since being elected in 2006, it is still one of the most powerful players in the regional equation.

The overwhelming victory of Hamas in the 2006 parliamentary and municipal elections was a sudden shock for all concerned with the Palestinian issue. Hamas duly formed the Palestinian government; however, other secular parties who had participated in the elections refused to join the Hamas-led government preferring to stand in opposition. Shortly after, the relationship between Hamas and its rival movement Fatah (which had been the main leader of the Palestinians over the previous decades), reached a nadir as civil war broke out in the Gaza Strip between members of the two factions.[10] At the same time, the Middle East Quartet, consisting of the EU, US, UN and Russia, not only gave its support to Fatah against Hamas in this quarrel, but also imposed a tough siege on the Hamas government in an attempt to force

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[6] David Cronin, *Europe's Alliance with Israel Aiding the Occupation* (London: Pluto Press, 2011). p. 34-55
[7] Geoffrey Kemp, 'Europe's Middle East Challenges', *The Washington Quarterly,* 27/1 (2004), 164 - 70.
[8]   It has been seen through the overwhelming electoral victory of Hamas in 2006 (74 Parliament seats for Hamas while its rival Fatah achieved just 46 seats).
[9] Sven Biscop, 'The ENP, Security and Democracy in the Context of the European Security Strategy', (Global Europe Papers, 2008/3: University of Nottingham, 2008). p. 6
[10] Rouba Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory', (Working Documents, 328; Brussels: Centre for European Policy Studies, 2010).

it to accept the Quartet's political conditions[11] which were described by Hamas leaders as unfair and impossible. These conditions were expressed in the Quartet's statements and reinforced on many occasions by the EU institutions; "The Quartet recalled its statement of January 30 and its call for the new Palestinian government to commit to the principles of nonviolence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap."[12]

As discussed in the literature review in the second section of this chapter, many observers internationally are convinced that the EU's behaviour in this matter has been unreasonable, and that it conflicts with the EU's own democratic beliefs and values[13] while many others have criticized Hamas for its inflexible stance in refusing to accept what should have been accepted of the international conditions that were put to it.[14] Therefore, this study investigates in depth the background to the EU's foreign policy towards Hamas between 2000 and 2010, the decade in which most of developments between the two actors took place, with some references to periods after or before this decade.

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[11] MEQ, 'Quartet Statement', (London, S031/06: 30 January 2006). Daniel Möckli, 'The Rise of Islamists in the near East: The EU, the US, and Hamas', *CSS Analyses in Security Policy* (2:18; Zurich: Center for Security Studies (CSS), July 2007), 1-3. Ibid. Also 'After Mecca: Engaging Hamas ', (Middle East Report N°62, 2007).

[12] Quartet Committee, 'Statement of the Quartet ', S099/06 (London: Quartet Committee, 30 March 2006).

[13] For more details see: Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory'. Also, Tocci, 'What Went Wrong? The Impact of Western Policies Towards Hamas & Hizbollah'. See also, Carolin Goerzig, 'Transforming the Quartet Principles; Hamas and the Peace Process', (Occasional Papers, 85; Brussels: European Union Institute for Security Studies, 2010). Also, Michelle Pace, 'When Liminals Interact EU-Hamas Relations', *Rethinking the Middle East? Values, Interests, and Security Concerns in Western Policies toward Iraq and the Wider Region, 1918-2010* (London: British Academy, 2010a). Ibid.And, Timo Behr, 'Dealing with Political Islam: Foreign Policy-Making between the Union and the Member States', *Fifth Pan-European Conference on EU Politics* (Portugal ECPR, 2010).

[14] For further details, see the various schools of thought related to the EU policy towards Hamas, presented in the literature review below. See also: Behr, 'Dealing with Political Islam: Foreign Policy-Making between the Union and the Member States'., and Kemp, 'Europe's Middle East Challenges', (also two works by Jonathan Schanzer, *Hamas Vs. Fatah; the Struggle for Palestine* (New York: Palgrave Macmillan, 2008). Jonathan Schanzer, 'Misguided Engagement', in Timo Behr (ed.), *Hard choices: The EU's Options in a Changing Middle East* (28: The Finnish Institute of International Affairs, 2011).

This section explains the research design that is used throughout the study. The research design is meant to be "the logical sequence that connects the empirical data to a study's initial research questions and, ultimately, to its conclusions."[15] Hence the data collection and analytical methods used, as well as other procedural steps pertaining to the questions themselves and their significance, the outline, and above all the theoretical approaches embarked upon, are all included in such a design, and are highlighted accordingly.

Objectives of the study

The EU's policies are highly relevant to the Palestinians and their leadership, which means therefore that they must struggle to persuade the EU to take a more effective role in isolating the Israeli occupation. This study is dedicated to shedding some light on the EU's policies in Palestine and, in particular, towards Hamas, or more precisely, to analysing perceptions[16] of the EU's policy towards Hamas during the period from 2000 to 2010, by ascertaining and examining the determinants and logic of that policy towards such an important movement in the ME. By scrutinizing the role of identities and self-interests in addition to other external-internal factors that drive the EU's discourse towards Hamas, the researcher aims to explore inconsistencies[17] and paradoxes[18] in this discourse. The objective is to establish whether the EU has jeopardized its reputation as a supposedly normative civilian power with a set of core values, and if inconsistencies resulted from this have supported its image as a normative actor or as a realistically-driven entity and why. Finally, the researcher is motivated to explore the possibilities for achieving a breakthrough in the existing relationship between the two parties, Hamas and the EU, and to formulate this relationship in a coexistent manner. Indeed, the suggestions and recommendations in the concluding chapter of this thesis might be regarded as a cognitive basis upon which such relationship might be constructed and secured.

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[15] Robert K. Yin, *Case Study Research: Design and Methods* (3 edn.: SAGE Publications, 2003).p. 20

[16] The notion of "perception" means in this context, the way in which the EU views the 'other' in particular area, and a theoretical lens through which the EU positions could be identified in this area.

[17] Inconsistency, adopted in this context, is a concept which means: the gap resulted from the socio-political acts and behaviours of decision-makers where the implemented policies are not compatible with the declared objectives, or where different contradictory policies are adopted in similar circumstances.

[18] A definition of 'paradox' that is adopted in this context means: 'a statement or proposition which, despite sound (or apparently sound) reasoning from acceptable premises, leads to a conclusion that seems logically unacceptable or self-contradictory'. See http://oxforddictionaries.com/definition/english/paradox

Research Questions

This study attempts to answer one main question and other following sub-questions:

- Why has the EU treated Hamas as a terrorist organization, and boycotted its democratically elected body since 2006?

This gives rise to the following sub-questions:

    i.   Does the EU contravene its core normative values and objectives (democracy promotion, Human Rights, the rule of law and fundamental freedoms)[19] by categorizing Hamas as a terrorist organization[20] and boycotting the Hamas-led democratic government thereafter?

    ii.   What are the genuine determinants of the EU's foreign policy towards Hamas?

        a)   To what extent have the identities of both the EU and Hamas, their perceptions about the Arab-Israeli conflict, the specificity of Israel in Europe, and the EU's dependence on the US, in addition to the Hamas behaviours, constituted main factors of the EUDM process towards Hamas?

        b)   To what extent is the EUFP towards Hamas, based on the principle of self–interest, realistically driven?

    iii.   How has the impact of the EUFP on Hamas been perceived? Has it proved the success or failure of the EU's policy, and how?

Significance of the Study

After the outbreak of the Arab Spring[21] at the end of 2010, this study took on an additional significance, with developments in the Middle East imposing many new challenges in international relations between the East and the West and pointing to a new Middle East with specific characteristics under formation. Up to the present, these characteristics show, surprisingly, that Islamic organizations have been dominant on the changing political scene in

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[19] EU, 'Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union', (Vol: 53: O.J.C 83, 2010c). p. 19 For more details: Karen E. Smith, *European Union Foreign Policy in a Changing World* (2 edn.; Cambridge: Polity Press, 2010). p. 6

[20] See European Council, 'Notices from European Union Institutions, Bodies, Offices and Agencies', (Brussels: Official Journal of the European Union, 31.5.2011).

[21] Arab Spring; is a nickname given by the media to the continuing Arab revolution that has been seeking democracy since December 2010. As is known, this revolution started in Tunisia, was followed by Egypt and subsequently spread to other countries in the Middle East.

this changing ME.[22] Hamas has had weighty relationships with these resurgent Islamic movements in Egypt, Tunisia and Morocco, and has equally important relations with Islamists in other countries that are expected to have their own elections and democracy in the future. Given that sooner or later these relations could significantly affect international relations in the ME, understanding the EU's policy towards Hamas has increasingly provided substantial evidence of how the relationship between the EU and the rest of Islamists in the Middle East is perceived. Thus, solving this problematic area of research will enable both sides to have a cognitive basis upon which to construct better relations. Significantly, the geo-strategic proximity of the ME with its new actors, and the EU countries which are accustomed to being cautious towards Islamists, make it necessary to develop a solid foundation upon which a stable neighbourhood might be situated, lest political explosions should occur which might negatively affect the entire region. Consequently, this area of research should be investigated to build up an epistemological basis of mutual understanding that would enable the two players to direct their capacities in a constructive way rather than a conflictive manner.

To establish a base to build on, this study examines the EUFP towards Hamas from the year 2000 up to 2010. It clarifies in depth the nature and reasons for the EU's policy, factors that influence it, and the position of Hamas towards the EU agenda. It is expected that this will lead to an accurate diagnosis of the nature and logic of this policy, and how it fits with the agendas of other international actors worldwide. This research might also prove to be beneficial in overcoming the deadlock that has developed between the two parties.

This work is also intended to influence policy-makers. Generally speaking, scholars involved in qualitative research are mostly concerned "with having their work taken seriously by their colleagues and by other policy actors."[23] Therefore, the researcher's intention is to reach out for the truth and to present it in a persuasive manner that may affect policy-makers on both sides: that is the EU and Hamas. The study will also help by creating some useful background knowledge of the strategies and techniques used by the EU in making its policy towards one of the most effective, but controversial, movements in the ME. In light of this knowledge,

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[22] See the results of the recent parliamentary elections (2011/12) in Tunisia and Egypt. Islamic groups achieved around 40% in both Tunisia and Morocco, with a collective achievement of over 65% in Egypt. See for example, Anonymous, 'Egypt Election: Results Show Islamists Taking Two Thirds of Seats', <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/egypt/9030179/Egypt-election-results-show-Islamists-taking-two-thirds-of-seats.html>, accessed 10 April 2013.

[23] Reva Joshee, 'Politics of Qualitative Research', *The Sage Encyclopedia of Qualitative Research Methods* (SAGE Publications, 2008).

policy-makers either in Hamas or in the EU may be able to review the way they approach each other, and Palestinians, particularly Hamas, might be more motivated to adopt a more imaginative policy towards the EU. Ultimately, this effort could aid other scholars in their efforts to achieve more in-depth studies, especially of the relationship between the West and Islamic Radical Movements (IRM) in the ME.

Why the EU?

When looking at influential external actors and designators of the present and future ME, observers might talk about a small number of economic and political super-powers; some of which are in direct contact with the ME, while others have proportional influence but intervene only indirectly. At the same time, some of them leave an economic imprint while others have heavy political and economic sway on the region. For example, even though China and Russia have had considerable say in international relations, especially in UN Security Council resolutions, they are still far from being able to exert any strong influence in the direction of the Arab-Israeli conflict.[24] Russia lost significant parts of its clout after the end of the Cold War in 1989, while China has not yet proposed itself as an effective actor politically (rather than economically) in the region.

However, due to their political and economic weight the main players in the Middle East are the US and the EU. In fact, while the US has been operating in the region since WWII, the EU, through its member states, has had a far longer historical relationship, which continues to affect the ME to this day: "the EU's 'presence' is felt more or less everywhere in the world, albeit more in some sectors and regions than in others."[25] Certainly, when considering the positions of these two powers towards regional political issues in the ME, such as the Israeli-Palestinian conflict, it would seem that the EU is more flexible and accommodating in its attitudes than the US. To put it more simply, due to several internal-external factors the US appears closed off with regard to the demands and legitimate rights of the Palestinians, while the EU typically tries to present itself more flexible and understanding.

Inevitably, and owing to the geo-strategic proximity between Europe and the ME, there is a search for actors which can guarantee stability and prosperous future relationships rather than tense hegemonic associations. Significantly, given the necessity of prioritizing fields of

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[24] See; Daniel C. Thomas, 'The Challenge of EU Foreign Policy', in Daniel C. Thomas (ed.), *Making EU Foreign Policy: National Preferences, European Norms and Common Policies* (UK and New York Palgrave Macmillan, 2011a). p. 3

[25] Bjorn Hettne and Fredrik Soderbaum, 'Civilian Power or Soft Imperialism? The EU as a Global and the Role of Interregionalism', *European Foreign Affairs Review* /10 (2005), 535-52. p. 535

research in accordance with their importance in specific areas, securing this region and stabilizing European-Middle Eastern links requires an appropriate understanding of all its central components. This matter definitely implies scrutinizing those who seem ethically open and amenable, like the EU, rather than those who are likely to be politically irrelevant for the time being, like Russia and China,[26] or who look as if they are politically blocked and immovable towards Palestine, like the US.

Research Methods

The researcher utilizes the qualitative research method, which enables in-depth rather than general or large-scale analysis. However, it "properly seeks answers to questions by examining various social settings and the individuals who inhabit these settings."[27] Specifically, this study seeks to understand and interpret the behaviour of the EU in the context of Palestine. Therefore, it is essential to make use of qualitative research, or what Liamputtong and Ezzy describe as a flexible, fluid and interpretative research method, which typically focuses on meaning and interpretation. Thus, according to the same scholars, rather than documenting the world from the standpoint of the researcher it records realities derived from perspectives of people studied. Hence, this method aims to investigate specific vital experiences concluded from particular people in the social life and meanings given to these experiences. Furthermore, qualitative methods shed light on how people make sense of their experiences in ways that other methods cannot do.[28] The ultimate aim of using this method is "to produce rounded understandings on the basis of rich, contextual and detailed data",[29] which enables the researcher to formulate his findings accordingly. In this way, the EUFP towards Hamas will be analyzed in terms of the views of those who involved with either of the two parties in order to provide a more precise understanding of the nature of the EU's policy.

Data Collection

Technically, this study is based on triangulation techniques in data collection[30] and a variety of primary and secondary sources, as well as interviews is used efficiently throughout the

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[26] Although both Russia and China have a significant voice in the UN Security Council, neither has much impact in the MEPP compared to the US and the EU.

[27] Bruce L. Berg, *Qualitative Research Methods for the Social Sciences* (4th edn.: Allyn and Bacon a Pearson Education Company, 2001). p. 6

[28] Pranee Liamputtong and Douglas Ezzy, *Qualitative Research Methods* (2 edn.; New York: OUP, 2005). p. 2-5

[29] Jennifer Mason, *Qualitative Researching* (London: SAGE Publications Ltd, 1996). p. 4

[30] Data triangulation means "the use of a research design involving diverse data sources to explore the same phenomenon". More details are in; Hilary Arksey and Peter Knight, *Interviewing for Social Scientists*

study. However, emphasis is placed on using as broad a variety of resources as possible, including formal statements, official announcements, press releases, and excerpts from speeches. This data was mostly gathered from various websites representing the EU as well as those representing Hamas. In addition, newspaper articles, websites, and other media outlets contributed noticeably towards this investigation, while personal interviews with a range of high-ranking politicians from the EU institutions, Hamas leaders and EU-ME experts is of benefit to the study's search for accurate knowledge about the EU's stance towards Hamas. This level of diversity is intended to provide a balanced, objective and comprehensive evaluation of the topic under investigation. Given the nature of the research and its focus on the EUFP, more emphasis is placed on the EU documents than others, to enable the researcher to build an accurate contribution. Thus, by activating variety of data collection in the researcher's attempts to answer the study questions, the essence of triangulation will be achieved, and hence the reliability and validity of the conclusions will be significantly strengthened.

Qualitative Interviewing

As noted above, interviews were a major source of information for this study, alongside relevant official EU documents. As Jennifer Mason asserts, "interviews are one of the most commonly recognized forms of qualitative research."[31] Hence, investigating certain perspectives of people to be thoroughly understood, and linking specific phenomena or events to particular meanings could be first and foremost achieved by interviewing them; a matter that "provides a useful means of access", as well as a very effective method of data collection.[32] As interviews can be fully standardized or un-standardized, semi-standardized interviews seemed to be the most responsive kind for use in answering the questions of this thesis. However, as Mason claims, the interview concept itself typically refers to semi-structured, loosely structured, or in-depth forms of interviewing with the assumption that any data gathered in this way results from patterns of interaction between the interviewees and their interviewer.[33]

Thus, the 'research' conducted for this study is a 'systematic enquiry' which makes use of this method as a form of conversation in which the researcher represents one side while the

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(London: SAGE Publications Ltd, 1999). P 22-27 And, Berg, *Qualitative Research Methods for the Social Sciences*. p. 6
[31] Mason, *Qualitative Researching*. p. 39
[32] Berg, *Qualitative Research Methods for the Social Sciences*. p. 72
[33] Mason, *Qualitative Researching*. p. 38

interviewees represent the other.[34] Additionally, whereas interviews were the main instrument of this study for promoting engagement between EU and Hamas officials, in-depth or semi-structured interviews were typically intended to examine the complexity and variable nature of meanings and interpretations that could not be highlighted by using other instruments.[35] As Arksey and Knight have stated, these types of interview are designed to obtain information about people's views, opinions, ideas and experiences.[36] In particular, they help people to make explicit things that have hitherto been implicit, i.e., to articulate their tacit perceptions, feelings and understandings.[37]

In another sense, using semi-structured interviews allows the interviewer to follow up his targets through questions directed at exploring implicit beliefs and meanings. Significantly, there are various sorts of questions that can be included in an interview; essential questions, extra questions, throw-away questions, and probing questions. Essential questions are meant to focus on the core of the study, while extra questions are similar to the essential ones but are worded differently. Another kind termed as throw-away questions is related to those "incidental or unnecessary questions for gathering the important information being examined in the study", whereas probing question enable the interviewer to elaborate on answers received about specific questions.[38] These questions were chosen according to their relevance to the topic under investigation, while directing the question types would be dealt with carefully and consciously. Thus, the use made of such a method in this study is fully justifiable, and because the interpretations revealed of the EU's foreign policy towards Hamas were not sufficiently persuasive: therefore, as discussed above, these in-depth modes of enquiry were needed and, at the same time, treated as a particular kind of dialogue which was employed to provide a better understanding of the question under investigation.

The researcher's interviewing journey started with gaining an ethical approval issued by the Ethics Committee in the College of Social Sciences and International Studies (SSIS). This essential approval authorizes the researcher to proceed in his fieldwork and to introduce him to the interviewees' community as well as to reassure his targets about the academic objectives of the study. Both the interviewees and the researcher have to sign a consent form which contains, in addition to the researcher's personal information, a brief summary about

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[34] Arksey and Knight, *Interviewing for Social Scientists*. p. 2
[35] Liamputtong and Ezzy, *Qualitative Research Methods*. p. 56
[36] Arksey and Knight, *Interviewing for Social Scientists*. p. 96
[37] Ibid. p. 32
[38] Berg, *Qualitative Research Methods for the Social Sciences*. p. 75-6

the research. It also covers any preferences of an interviewee as to whether he or she would prefer to be recorded and quoted or to be anonymous and off the record. Whoever wanted to be named and recorded was given this right and vice versa. In fact, due to the topic's nature, tackling Hamas, Israel, terrorism and resistance, some of the interviewees did not hide their desire to be kept anonymous, and so they were quoted as such with only referring to their institutional backgrounds.

A sample of about 30 candidates for interviews was carefully chosen according to their area of concern. In addition an alternative list of ten other nominees was available in case of negative responses. As the main thrust of this thesis is on EU foreign policy towards Hamas, the main focus of the interviews was on EU officials from the European External Action Service (EEAS), the Commission's foreign affairs arm, the European Parliament delegation for relations with the Palestinian Legislative Council and the delegation for relations with Israel as well as the EU Council. Therefore, a list of interviewees from these institutions was prepared and the candidates approached by the researcher, but it was clear from the beginning that while some of the requests received a positive response, other potential interviewees did not reply at all or, after a long wait, (in one case two months) answered negatively. Hence, large numbers of these interviews, which took place in Brussels, Turkey and the UK (face to face) or Gaza (by email or by phone) could not have completely succeeded without arrangements managed by third parties.

In the case of the Brussels interviews, it would have been quite difficult to arrange meetings with high-ranking personalities in the EU and to gather the required data about such a topic of inquiry without the direct assistance provided by one of the Brussels-based NGOs, the Council for European Palestinian Relations (CEPR). Generously, the NGO's channels of communications were used to fix appointments conducted with the targeted weighty EU figures mostly between May and July 2012. Eventually, 25 highly significant interviewees, as listed in the bibliography, were successfully approached. Prominent figures, such as Marc Otte, the former EU envoy to the MEPP during the period in which the Hamas-led democratically elected government was boycotted in 2006 took part a matter that enriched and widened the researcher's knowledge and understanding of the EU context in which the latter functioned with Hamas. It was astonishing that most of those contacted from the EP delegation for relations with Israel refused to be interviewed after being informed about the topic in question; in fact, this reflected the cautiousness that they had about such controversial and sensitive subjects. Whereas the researcher was also interested in

interviewing policy-makers from the EU Council, he always failed in this and was referred to the Commission and the EP. However, this has not substantially affected data collection especially because those who were in touch with the Palestinians and involved with them over years had already been interviewed. In this regard, a significant amount of supporting documents was additionally gathered to foster the analysis of their discourse.

At the same time, the main figures of the Hamas Foreign Affairs Department were also interviewed including Usama Hamdan, the Hamas International Relations Commissioner, consultants to Ismael Haneyyah, the Hamas Prime Minster in Gaza, in addition to other experts. Their responses to the EU officials' criticism and opinions were highly important for drawing the picture from all sides. After meeting Usama Hamdan, the person in charge of the dialogue with Europeans, the author was keen to meet Alastair Crooke, the former security advisor to Javier Solana, especially as he was the official in charge of the EU-Hamas dialogue between 2000 and 2003. Unfortunately, due to his extensive workload, as his office informed me, he was unable to meet but he deeply apologized. Whereas meeting him could have been greatly enlightening, the inability to meet Crooke did not substantially affect this thesis as, in fact, he wrote articles about that period and was interviewed by newspapers on the same issues all of which was duly utilized.

Generally speaking, the aim of approaching EU officials was to hear directly from EU decision-makers about their interpretations and explanations of EU policy towards Hamas and the entire Israeli-Palestinian conflict over the period under investigation. Hearing from those figures in decision-making circles plus those observers and analysts who were involved in this analysis has added significant input to this thesis which has been profoundly built on, *inter alia*, interviewees' insights. However, observing them answering specific questions and abstaining from responding to others or bypassing them reflects interestingly the extent to which they are prepared to discuss particular areas at the expense of others and why. As focussing on the inconsistencies and paradoxes of the EU policy towards Hamas and in an attempt to discover the reasons behind such contradictions, the semi-standardized interview used was divided into four areas of discussion which constitute the main axes of this research. These areas were decided after scrutinizing the vast scale of EU documents and observing EU behaviour towards the Palestinian cause over years as well as searching through other scholars' contributions.

The first area examined the normative EU discourse and the way this was applied to Palestinian democracy in the year 2006, when Hamas came to power. The second area was dedicated to discover meanings given by the interviewees to the EU terrorism-violence debate as it appeared in EU declarations, statements and behaviour directed to either Hamas or Israel. In this respect, the interviewees' perceptions of the right to the Palestinian resistance to the Israeli occupation compared to their perceptions of the Israeli right to self-defence, were profoundly examined. The third concentrated on perceptions held by Europeans about the Israeli state and the common denominator between both actors, in addition to the role played by this denominator in steering EU foreign policy towards Hamas. The fourth area focussed on EU-US relations and the influence that the latter has had on the former in terms of the EU-Hamas relationship.

Significantly, the interviewees had been asked to freely answer the open-ended questions of the interview and to express their convictions unreservedly as much as they could. All were informed that the researcher would use the interviews only for academic purposes, and every effort would be exerted to guarantee the highest level of confidentiality. They were reassured that gathering the data would be treated with full privacy according to the criteria of research ethics. Physically, the collected data was stored on either audio files (MP3) or in written format (DOC or PDF), as well as hand written notes saved on the researcher's own computers, his drive at the university network, and on an external hard-drive as a backup copy. The researcher signed consent forms with the interviewees where applicable, stressing that all these reserved copies would be professionally secured by blocking them using sophisticated passwords while nobody would be entitled to know these passwords under any circumstances (except as may be required by law).

However, despite all these assurances, the 'newspapers-talks' of the interviewees, particularly in Brussels, marked the deliberations between the interviewer and his interviewees. Basically, some of the latter were clearly inclined to refrain from revealing too much of their thinking on sensitive topics, for example relating to terrorism and resistance in the Palestinian-Israeli context. While some of their opinions were highly important and enlightening, there were others which could sometimes be seen as somewhat repetitive newspapers-talks which were less helpful when the researcher was trying to raise a solid argument based on reliability and credibility on the one hand, while uncovering definite realities or convictions hidden inside the minds of the interviewees on the other. Significantly, to overcome this problem, the author reinforced his work through in-depth research and extensive reliance on official EU

documents, along with the material gathered from the respondents. Hence, it was necessary to scrutinize these documents using Qualitative Content Analysis (QCA) in addition to Critical Discourse Analysis (CDA), as will be illustrated, which implied digging into texts and contexts alike, in order to expose the hidden meanings behind specific actions and positions of the EU discourse towards Hamas, and to compensate for the newspapers-talks of some of the interviewees.

In the end, it is worth mentioning that, while recording most of the interviews was permitted by the interviewees, one of the Hamas leaders, for considerations of accuracy, preferred to send his answers by email. All these interviews were conducted in English except those with the leaders of Hamas which were in Arabic; in both cases no linguistic barriers appeared as an obstacle during the interviews.

Analytical Method

There is a range of methods that can be used to analyse data gathered through qualitative research.[39] The most suitable of these methods is the one that accurately, deeply and precisely guides the researcher within the research process. Building on the interpretive approach for the analysis, this study basically made use of both Qualitative Content Analysis (QCA) and Critical Discourse Analysis (CDA), because of the intertwined relationship between them as well as their appropriateness for uncovering hidden meanings behind the EU's policies and perceptions towards Hamas. Many scholars believe that the relationship between these methods of analysis is not separable, and that it is difficult to use one of them apart from implicit or explicit use of the other.[40] In this regard and due to its focus on textual and contextual issues and the inter-subjective linkage between them, CDA is considered not only a method but also "a methodology for analysing social phenomena that is qualitative, interpretive, and constructionist. It explores how the socially produced ideas and objects that populate the world were created and are held in place."[41] Hence, the CDA provides the researcher with a method that takes into consideration texts and socio-political contexts alike, as well as the interaction process between variables of these units, or between "the social groups and the complex societal structures in which the discourse is embedded."

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[39] More detailed explanatory information can be read in; Uwe Flick, *An Introduction to Qualitative Research* (3 edn.; UK: Sage Publications Ltd, 2006).

[40] Yoshiko M. Herrera and Bear F. Braumoeller, 'Symposium: Discourse and Content Analysis', *Qualitative Methods: Newsletter of the American Political Science Association Organized Section on Qualitative Methods,* 2 /1 (Spring 2004), 15-9.

[41] Cynthia Hardy, Bill Harley, and Nelson Phillips, 'Discourse Analysis and Content Analysis: Two Solitudes? ', Ibid.2 (19-22.)

Accordingly, discourse is meant to be "about the production and distribution of power, and struggles over knowledge, interests, identity and the social relations they enable or undermine".[42]

Significantly, it is almost impossible under this method of analysis to separate the discourse used by politicians from its broader context.[43] In other words, analysts could refer to a particular set of texts during the research process but also "importantly to the social practices to which those texts are inextricably linked".[44] Additionally, this method is "concerned with how individuals use language in specific social contexts" and thereby the differences and contradictions of those speakers or writers.[45] Eventually, in addition to its interest in analysing the socio-political contexts, CDA "remains a very active line of research to date, and studies typically scrutinize speeches by key politicians or critique documents published by government agencies, institutions, or international organizations".[46] In a word, it is indispensable for the purposes of investigating reality from all angles and the way this reality is produced and displayed. By the same token, contexts too might be affected by present policies and practices; it might be historically driven or drawn and thereby texts should be read carefully in light of the historical junctures.[47]

On the other hand, the QCA is a very instrumental method that can be used in addition to the CDA. In this regard, it is meant to be "the study of the text itself not of its relation to its context, to the intentions of the producer of the text, or of the reaction of the intended audience".[48] Accordingly, contrary to quantitative content analysis, it enables us to scrutinize particularly contents of interviews and documents for the purpose of interpreting the EU's policy in terms of 'why' questions which constitute the most important aspect of this study:

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[42] Mark Laffey and Jutta Weldes, 'Methodological Reflections on Discourse Analysis', Ibid. (28-30.) p. 28
[43] Cynthia Hardy, Bill Harley, and Nelson Phillips, 'Discourse Analysis and Content Analysis: Two Solitudes? ', Ibid. 19-22
[44] Neta C. Crawford, 'Understanding Discourse: A Method of Ethical Argument Analysis', Ibid. (22-5). p. 24
[45] Penny Dick, 'Discourse Analysis ', in C. Cassell and G. Symon (eds.), *Essential Guide to Qualitative Methods in Organizational Research* (SAGE Publications, 2004). p. 203
[46] Csilla Weninger, 'Critical Discourse Analysis', *The Sage Encyclopedia of Qualitative Research Methods* (SAGE Publications, 2008).
[47] See: Ted Hopf, 'Discourse and Content Analysis: Some Fundamental Incompatibilities', *Qualitative Methods: Newsletter of the American Political Science Association Organized Section on Qualitative Methods,* 2/1 (2004), 31-3.
[48] Cynthia Hardy, Bill Harley, and Nelson Phillips, 'Discourse Analysis and Content Analysis: Two Solitudes? ', Ibid. (Spring 2004), 19-22.)

> Where quantitative content analysis is helpful in answering 'what' questions, qualitative content analysis can be helpful in answering 'why' questions and analysing perceptions.[49]

Therefore, it is a significant instrument for understanding latent biases within texts, speeches and documents. It grants the researcher an effective instrument for studying processes which occur over a long period of time or that reflect trends in a specific society as well as providing researchers with a means for analysing data with clarity.[50] Significantly, it enables him/her to conceptualize, categorize and link derived meanings, categories and concepts accordingly. Consequently, the clusters or codes highlighted by this method can be translated into themes that can be built upon within the research process. Moreover, precise and accurate analysis of data opens a door to further analytical understandings in this context:

> Content analysis is the intellectual process of categorizing qualitative textual data into clusters of similar entities, or conceptual categories, to identify consistent patterns and relationships between variables or themes. However, it is typically inductive, beginning with deep close reading of text and attempting to uncover the less obvious contextual or latent content therein.[51]

Indeed, lots of materials, documents, speeches, interviews, decisions and formal strategies might be gathered with regard to the EUFP towards Hamas. These materials should be categorized, characterized, coded, linked to each other thematically and scrutinized intensely in order to develop the researcher's analytical competence, and to extract accurate conclusions.[52] Furthermore, the QCA method can be supported through the use of the NVivo software program, a software package that enables researchers to organize, categorize and code qualitative data. This program offers the benefits of keeping research under control and making it thematically easy to link and analyze data. According to Lyn Richards:

> NVivo has tools for recording and linking ideas in many ways, and for searching and exploring the patterns of data and ideas. It is designed to remove rigid divisions between 'data' and 'interpretation'. To make it clearer, 'Qualitative research usually requires management of complexity. As you link, code, shape and model data, the software helps you to manage and synthesize your ideas. It offers a range of tools for pursuing new understandings and theories about the data and for constructing and testing answers to research questions.'[53]

The researcher utilised this tool to aid in the efficiency through which the data gathered for this study was mapped and analysed.

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[49] Heidi Julien, 'Content Analysis', *The Sage Encyclopedia of Qualitative Research Methods* (SAGE Publications, 2008).

[50] Berg, *Qualitative Research Methods for the Social Sciences*. p. 258

[51] Julien, 'Content Analysis'. p. 121

[52] See; Berg, *Qualitative Research Methods for the Social Sciences*. p. 240

[53] Lyn Richards, *Using Nvivo in Qualitative Research* (London: SAGE Publications Ltd, 1999). p. 4

To conclude, the study of the EU's policy towards Hamas cannot be understood without scrutinizing all dimensions surrounding this socially-constructed policy, including the texts which the researcher has, and the contexts from which these texts have emanated, as well as the interactive and interrelated relations between them. Thus, although QCA and CDA stem philosophically from different schools of thought – QCA from neorealism which considers reality as fixed, independent and constant, and CDA from constructivism which perceives reality as socially constructed[54] – and thus might be used separately on different occasions, the two combined were activated, in this thesis, being considered complementary to each other in the analytical process undertaken. Remarkably, both warranted the required extent of reliability and validity for such a study like this which was dealing with a controversial topic.

Reference Management

"Reference management is the process of storing, managing, retrieving, and citing references from various sources."[55] Accuracy and consistency of style are very important in the referencing process. Therefore, the researcher utilised a software programme that would maintain a single style of referencing throughout the study and as far as possible would avoid unintentional human error. The reference management software programme called "Endnote" is designed to help researchers and to organise their resources in as many styles as needed. Endnote means that the researcher "can easily insert in-text citations into the body of the manuscript and automatically create an appropriately formatted bibliography."[56] It also enables the researcher to retrieve particular references automatically from his digital library, without the need to entering references manually by typing.[57] The study follows an author/date pattern that makes it easier for the reader to follow information sources with confidence. Consequently, this type of software programme has enabled the researcher to control the bibliography consistently throughout.

Limitations

The researcher faced two main obstacles, and even though neither prevented him from pursuing his research, they were very much at the back of his mind while he was articulating his thesis or conducting his interviews; this in itself constituted a kind of restriction.

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[54] Hardy, Harley, and Phillips, 'Discourse Analysis and Content Analysis: Two Solitudes? ', p. 21

[55] Abha Agrawal, *Endnote 1-2-3 Easy! Reference Management for the Professional* (2 edn.; London & New York: Springer Dordrecht Heidelberg 2009). p. vii

[56] Ibid. p. 9

[57] Ibid. p. 10

The first of these restrictions was the 'perspective challenge' which was related to the topic itself. This thesis is a rare attempt to study the EU's foreign policy towards Hamas using a West-East focus. Many previous researchers have also studied Hamas and how it has reflected on the EU but have used the East-West perspective; in other words, how the East has affected the West's policies in the ME and how the West could contain the East. In the West's approach, Hamas was mostly considered a challenge or a problem that should be addressed accordingly and thus appropriately studied, while ways of containing it should be adequately emphasized. Apart from this debate, that implicitly or explicitly presumes Hamas to be a problematic movement that (wisely) should have been tamed, the West-East way of studying the topic implies comprehensive digging in the West's field, i.e., that of the EU, and at the same time does not need to take assumptions about Hamas for granted.

In fact, the researcher appraises the deeds and behaviours of not only Hamas but also the EU in light of International Law and within their own contextual frameworks and structures. Therefore, it is basically the EU's internal factors that have been under the spotlight, not Hamas as a controversial movement in the West. In other words, Hamas is not the subject of this study, although its perceptions, positions and behaviours have been clarified as needed. Given that this movement is stigmatized as a terrorist organization in the EU, in a Western geographical context the researcher might, to some extent, be at risk because of the enormous restrictions imposed against 'terrorism'. Given that the EU adopts a common European anti-terrorism strategy, that the UK has also its own regulations, and that the university in which the researcher studies has another set of rules as well, the researcher has frequently felt he should be counting 'from one to ten' before taking any step in his work, lest he should in one way or another be considered as sympathetic to terrorists.

The second restriction is linked to 'objectivity' as an underlying value for researchers. Indeed, one of the most pressing challenges to be highlighted is the problem of bias, which is related to the researcher's objectivity[58] and neutrality[59] in such an area of study. Generally speaking, it is essential for the researcher to maintain a distance between himself and his topic; however, this guarantees the accuracy of findings and conclusions. Owing to the fact that the researcher is a Palestinian who has much sympathy towards his people, and who has, in one way or another been affected, by the EU-Quartet's policy towards the Palestinian

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[58] 'Objectivity' means "judgment based on observable phenomena and uninfluenced by emotions or personal prejudices"; http://www.thefreedictionary.com/objectivity.

[59] 'Neutrality' refers to "the state or position of being impartial *or* not allied with or committed to either party or viewpoint in a conflict"; http://www.thefreedictionary.com/neutrality

territories during the period under investigation, it is to be expected that his work in this area would make him vulnerable to prejudice. As a researcher, the author found himself involved in an analysis that observers from diverse backgrounds would undoubtedly judge very differently. Certainly, the corner in which those observers might stand is a fundamental feature in the judgment process. While neutrality should be seen as an ideal of objectivity, both are controversial concepts and it is very difficult for them to be fully achieved in human and social sciences. Having this in mind, the researcher has made every effort, from the beginning, to put himself aside and to remain neutral but without necessarily shedding his Palestinian skin while working on such a project. To overcome any anticipated deviation, he has, as far as possible, left the EU and Hamas documents to speak for themselves without twisting the neck of truth or avoiding specific common realties on the ground.

In the course of this analysis, the researcher considered Hamas as an Islamic Palestinian resistance movement not a terrorist one; however, despite its controversial deeds and methods with which some might agree or disagree, it remains a socio-political organization with a particular ideology and character functioning within the Israeli occupation context.

Hence, the author does not hide his national background and the way in which he perceives the conflict in Palestine. He also has such convictions regarding resistance and terrorism in addition to the right and wrong behaviours exercised under these terms. Mostly these beliefs are shaped by his understanding of International Law and the natural human right of resistance when falling under specific oppression or occupation. He undoubtedly has certain perceptions on EU policy, not only towards Hamas but also towards the whole Palestinian-Israeli conflict and beyond; a matter which stems from his experiences and observations on the ground or gathered from reading.

However, the question is whether these previously assumed convictions and perceptions have affected the trajectory of the thesis or not, and whether his choices were impacted by these positions. Here, he can definitely say that the research was as carefully worked out as if it were being done in a field of thorns by putting aside all distractions from academic objectivity. For example, the researcher gathered all documents for or against his convictions and interviewed those EU officials who extremely consider Hamas as a terrorist organization and reject in principle violent Palestinian resistance, just as he interviewed others who perceive this movement as one of resistance and show understanding of such resistance. At the same time, as well as he was keen on presenting the positive EU's statements and

declarations towards Palestinians on the one hand the researcher, on the other one, presented, where applicable, the negative positions towards Hamas throughout the thesis to keep the analysis as balanced and objective as possible. Significantly, by evidencing his views and arguments using a vast scale of primary and secondary resources, the author has made his analysis and comparisons based on the UNGARs as well as the EU norms, which are stated in its treaties and declarations. Furthermore, having the consideration of objectivity in mind due to the author's national background, the supervisory team kept ably advising and asking him for alterations whenever any deviation from this target might be felt. As such, his research is objectively crystalized, articulated and structured without being scandalously affected by his personal convictions, though his identity can easily be seen.

Descriptive Outline
Chapter One: Methodology and Literature Review

This chapter explains the methodology used in the thesis and how it defines the project, its objectives, significance, questions, methods, data collection methods and the proposed outline. In addition, a literature review emphasizes what work has previously been done and what needs specifically to be addressed by the researcher.

Chapter Two: Theorizing the EU Foreign Policy towards Hamas

This introductory chapter is the basis for the rest of the study by discussing the definitions, theories and approaches according to which the study framework is to be articulated. The EU's policy, based on its position and interests in the ME, is located in a wider context of perceptions, readings, strategies, and controversial manifestations, while the Arab-Israeli conflict, as a basic motivating factor in the region, is identified as the axis around which the EU's policy towards Hamas revolves. While all material is specifically organised to form a base for analytical logic, some of the areas highlighted for discussion are dismissed, while others are precisely emphasized according to their proportional significance and relevance.

Chapter Three: EU Foreign Policy: Development and Performance

The EU acquires its importance from its performance and its ability to act appropriately, either internally or externally. This descriptive chapter looks specifically at the emergence of European Political Cooperation (EPC) and the subsequent establishment of the Common Foreign and Security Policy (CFSP), in terms of necessities, adjustments, developments, effectiveness, and areas of functioning, which are emphasised as appropriate. It also

examines the EU institutions involved in the decision–making process, as well as the mechanisms and procedures employed. Finally, the EU's foreign policy instruments are identified in order to explore the extent to which the EU is able to interact internationally.

Chapter Four: The Formation of the EU Foreign Policy towards Palestine: Contextual historical perspective

Following a historical overview of the emergence of the EU's foreign policy towards the ME, and an examination of the context within which Europe has developed its relationships with the ME and its related components, the chapter looks more deeply at the tense relations between the Christian West and Islamic East through certain historical stages and events, that have left significant impacts on peoples' attitudes and feelings on both sides and have led to awkward policies. These include the colonization of the Islamic East by the West and the substantial promotion of its own interests in the ME, as well as post-war Europe's enlargement, from the 1950s, into a union with significant initiatives in the Mediterranean. The development of EU policy towards the Arab-Israeli conflict after the EU launched its foreign policy initiative in the early 1970s is also discussed.

Chapter Five: Inconsistency of the EU Discourse regarding Hamas: Norms and Values under Investigation

This chapter examines inconsistencies of the EU discourse towards its norms and values in the context of Palestinian democracy that brought Hamas to power in 2006. In the first of two sections it tackles the outlawing of Hamas by the EU in an attempt to understand the context and backgrounds of such a policy. The evolution of Hamas, and the stages of the relationship between the movement and the EU are seen in the European Union Security Strategy (EUSS), which forms a basis for understanding the context in which Hamas was labelled a terrorist organization, and subsequent EU policies towards the movement. The second section investigates the promotion of democracy and human rights values, along with the EU support for the emergency status declared by the Presidency of the PA at the expense of these norms. Contradictions and paradoxes in the EU discourse and practice are examined in considerable depth. As well as articulating the basic pillars of the EUFP towards Hamas and the substantive approaches used, the interactions that have governed relations between the two actors over time and the realistic path they have taken are highlighted.

Chapter Six: Resistance-Terrorism Debate in the EU-Hamas Context: Paradoxes and Inconsistencies

Controversial concepts in the EU-Hamas context, particularly terrorism and resistance constitute the main axis which both actors still debate. The chapter explores how the identities of both the EU and Hamas influence the way Hamas has been pursued by the EU; the apparent paradoxes and inconsistences in the EU discourse concerning this debate are pointed out. In this context, the violence perpetrated by Israel and Hamas alike, as well as the EU's reactions are scrutinised. The resistance[60] dogma of Hamas and its perception of terrorism are among the important areas discussed. In light of IHL, the right of resistance against the IO and the way the EU has perceived it are compared with the EU's recognition of Israel's right of self-defence. In this regard, the case of abducted Israeli soldier Gilad Shalit is noted to emphasise the different reactions of the EU in the case of Palestinian prisoners incarcerated in Israeli jails. The EU's inconsistences are examined after some clarification of the Israeli discourse against Palestinians, compared to the Hamas discourse against the Israelis. In both instances the EU's response is observed.

Chapter Seven: The EU's Perception of Israel as a Self-Driving Determinant of the EUFP towards Hamas

This chapter assumes that if the logic behind the EUFP towards Hamas is to be understood, the EU's perceptions of the adversary of Hamas, i.e., Israel, need to be identified. Indeed, the most important actor in the external EU milieu that is taken into account while designing the EUFP towards Hamas, is Israel, a constant Western reality that, with full European assistance, has been socio-politically, culturally and physically constructed in the ME since 1948. Given that Israel has been a European-branded product that was carefully and intentionally implanted into Palestine, this corner of the ME, its direct and indirect influence is of high importance in terms of studying the EU's FPDM towards those states or non-state actors that might threaten its core existence or contradict the EU's strategies. Thus, the roots of the socially-constructed relationship between Christian Europe and the Jews over time, and the way this socio-cultural association has been transformed from a historical adversarial relationship to one of friendship and alliance are examined.

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[60] Resistance, in this context, is the violent and non-violent acts, means and methods utilised by individuals or groups of people who live under occupation, against the occupying power of their land.

Chapter Eight: US Influence on the EU regarding Hamas: Analytical Perspective

This chapter illustrates the influence of the US, as an external actor, on the EU's policy towards Hamas. This means revealing the security-allied construction between actors under particular circumstances, and the self-interest determinant in this policy represented in the EU's preference for the US positions regarding Hamas at the expense of its own inspirational norms and values. It displays the depth of the relationship between the two actors, and the significant effect that the US has had on the EU in the case of Hamas. Their mutual goals and economic interdependence, in addition to the socio-cultural correlations between them, underpin the testimonies of EU officials in relation to the topic of this research. Hence, the contextual dimension and the partner-dependant debate in the ME, as a US domain, are discussed so as to understand the complementary versus contradictory role that the EU plays in such a conflict. The 2001 (9/11) attacks on the US and their effects on the EU's security perspective towards Hamas are highlighted, as are the Quartet's restriction on the EU's functionality in the Hamas dossier and the perceptions of the EU interviewees of the role played by the US in this regard. This reveals the extent to which the EU is exposed to US influence in the matter of Hamas and Palestine in general.

Chapter Nine: Findings and Conclusions

This chapter explores conclusions and possible recommendations which might be made in light of the EU's policy towards Hamas. The conclusions summarise the results of the validity examination of the theoretical approaches and tools mentioned in the second chapter, while formulated recommendations are directed towards future work or actions that should be undertaken in light of the substantial and on-going international changes taking place in the ME. Finally, while limitations of this research have been underscored, some suggestions are also offered as to how the tense relations between the EU and the ME's socio-political powers might become less detrimental and more constructive for both, in light of the EU's dealings with Hamas.

Section Two: Literature Review

Divisions in light of the EU policy towards Hamas

The EU policy towards Hamas has passed through several stages between 1993 and 2010,[61] but talking about this policy has become more urgent since Hamas was elected through a democratic process in 2006. Although the EU's policy is currently focused on boycotting the Hamas-led government in order to compel the movement to moderate its policies towards Israel and the peace process,[62] it has generated a strong debate among scholars and politicians about the wisdom of dealing with Hamas in such a way. This debate between proponents and opponents of the EU's policy is yet to witness its end. Indeed, it has escalated as it has become apparent that this policy has not been fruitful, and perhaps even hindered efforts to resolve the Arab-Israeli conflict and European diplomacy in the ME. [63]

It is noticeable that discussions about the EU policy towards Hamas tend to focus on the advantages and disadvantages of using tough political instruments to compel Hamas to accept the Quartet conditions. Some debaters have voiced support for even tougher policies against Hamas,[64] while others have called on the EU to revisit its foreign policy and thereby rebuild its eroded credibility.[65] However both of the two parties have distanced themselves from investigating in depth the reasons for the EU policy which stand behind its punitive stance towards the democratically elected movement of Hamas. Therefore, they could not precisely interpret the contradictions inherent in the EU rhetoric, which include the promotion of

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[61] Usama Hamdan, 'The European Attitudes Towards the Palestinian Resistance Movements; the Case of Hamas [Translated]', *The Europeans Foreign Policy towards the Palestinian Issue* (Beirut: Al-Zaytouna Centre for Studies and Consultations, 2010).

[62] Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory'.

[63] Nathan J. Brown, 'Aftermath of the Hamas Tsunami', *Web Commentary* <http://carnegieendowment.org/2006/02/02/aftermath-of-hamas-tsunami/6av>, accessed 20 February 2011.
Are Hovdenak, 'Hamas in Transition: The Failure of Sanctions', *Democratization,* 16/1 (2009), 59-80.
Jamal R. Nassar, 'Religious Revivalism and Secularism in the Middle East: The Role of the United States, Europe, and Israel', *Comparative Studies of South Asia, Africa and the Middle Eas,* 27/1 (2007), 1-2.

[64] Schanzer, 'Misguided Engagement'. Also, Geoffrey Kemp, 'Europe's Middle East Challenges', *The Washington Quarterly,* 27/1 (2003-04).

[65] Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory'. And, *Richard Youngs and Michael Emerson, 'Political Islam and European Foreign Policy: Perspectives from Muslim Democrats of the Mediterranean', (CEPS Paperbacks; Brussels, 2007).* And, Pace, 'When Liminals Interact EU-Hamas Relations'.

democracy, the rule of law and Human Rights, and its practices against the triumph of Hamas in the Palestinian elections of 2006.

Although those who are for or against the EU policy towards Hamas have both tried to justify their thoughts and opinions on the matter, the arguments posed against the policy generally seem to be stronger and more persuasive. This is because they have discussed the logic and consequences of the EU's actions without falling into the double standard trap as has been highlighted in the language of their opponents. Generally speaking, scholars in favour or opposed to the EU policy can be categorized into three schools of thought: the pro-democracy school, the anti-Islamism pro-Israel school and the pro-national choice school.

These three schools of thought can be discerned from common arguments put forth by scholars in the current debate over the EU's policy towards Hamas. With regard to the first school, its supporters[66] have called for the political will of the Palestinian people to be given priority, thus giving democracy a role in political life even if it brings to power those who are categorized as radicals. They have called for an 'engagement first' approach rather than a 'moderation first' one as called for by Minna Saarnivaara 2011 who has claimed that engaging with Hamas might lead the movement to a more moderate position. Therefore, the target here, as could be concluded from their speech, is the peace process and stability through taming Hamas by way of the engagement approach. However, Hamas, as the movement stands, may not be accepted by supporters of this school of thought. Indeed, in cases where Hamas uses violent means against the Israeli occupation, even though such violence is guaranteed under International Law, some of these scholars might express their disturbance and even condemnation. [67]

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[66] Biscop, 'The ENP, Security and Democracy in the Context of the European Security Strategy'. And, Carolin Goerzig, 'Engaging Hamas: Rethinking the Quartet Principles', *ISS Opinion* (European Union Institute for Security Studies, 2008). And, Jeroen Gunning, *Hamas in Politics: Democracy, Religion, Violence* (London: HURST Publishers Ltd, 2007). And, Minna Saarnivaara, 'The EU and Hamas: No Easy Options', in Timo Behr (ed.), *Hard Choices: The EU's options in a changing Middle East* (28; Finland: The Finnish Institute of International Affairs, 2011), . And, Tocci, 'What Went Wrong? The Impact of Western Policies Towards Hamas & Hizbollah'.

[67] Tocci, 'What Went Wrong? The Impact of Western Policies Towards Hamas & Hizbollah'.

The second school, which is influenced by the Orientalism[68] perspective, consists of those who are influenced by Islamophobia in the West from one side, and those who are pro-Israel on the other side regardless of its behaviour and stance towards the peace process.[69] Its followers believe that 'the moderation first approach' must be pursued with Hamas before engaging with it politically. According to them, any engagement with such a movement will be seen as rewarding terrorists and all rejectionism fronts in the ME: consequently, engaging with Hamas will be a devastating policy for the peace process and the Western alliance and interests from their point of view. The third school consists of those[70] who support engaging with Hamas as one of the socio-political components of the region which has an equal right to secular movements and parties to compete in and win elections, and to govern, regardless of any special agenda-based reservations. They believe in the peoples' right to self-determination, national sovereignty and what follows in terms of respecting the peoples' will even if it conflicts with other countries' political calculations. This school of thought might not share the same ideology or political goals as Hamas, but it respects the movement's right to participate in the polity on an equal footing with its opponents, and free from foreign interference.

As can be easily seen, the dominant issue in the EU-Hamas debate is the engagement-isolation question and thus whether the first appropriate approach should be: engage with Hamas or moderate it. Indeed, the first two schools have different views about how Hamas can be encouraged to become more moderate in order to meet the Quartet conditions. The

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[68] Orientalism is a concept cristalized and presented in a book by Edward Said and defined literally, amongst other definitions articulated by him, as "a Western style for dominating, restructuring, and having authority over the Orient". See Said, Edward (1979), Orientalism (New York: Penguin Group). p.2

[69] Geoffrey Kemp, 'Europe's Middle East Challenges', (And), Schanzer, *Hamas Vs. Fatah; the Struggle for Palestine*. (And), Barry Rubin, 'Understanding Hamas, a Detailed Assessment', *The Rubin Report* <http://rubinreports.blogspot.com/search/label/Hamas >, accessed 15-7-2011 2011.

[70] Larbi Sadiki, 'Reframing Resistance and Democracy: Narratives from Hamas and Hizbullah', *Democratization,* 17/2 (2010b), 350-76. And Michelle Pace, 'Liberal or Social Democracy? Aspect Dawning in the EU's Democracy Promotion Agenda in the Middle East', *The International Journal of Human Rights,* 15/6 (2011), 801-12. Also Azzam. Tamimi, *Hamas : Unwritten Chapters / Azzam Tamimi* (London :: Hurst & Co., 2007). Also Leila Nicolas Rahbani, 'Comment on the Paper "the Backgrounds of the European Foreign Policy Towards the Palestinian Issue', *The Europeans Foreign Policy towards the Palestinian Issue* (Beirut: Al-Zaytouna Centre for Studies and Consultations, 2010). And Usama Hamdan, 'The European Attitudes Towards the Palestinian Resistance Movements; the Case of Hamas [Translated]', Ibid. Also Esam Banifadel, 'The EU Role in Political Development Towards the Occupied Palestinian Territories (1991-2007)[Translated] ', Master's degree thesis (Al-Najah National University 2009). And Azmi Bishara, 'Hamas Test after Control of Gaza', *Al hayat Newspaper* (London: Dar alhayat, 2007). And Amel Boubekeur, *Updating the European Union's Policies Towards Islamist Parties and Radical Actors* (Stockholm: International Institute for Democracy and Electoral Assistance, 2009).

pro-democracy school aims to drag Hamas to the 'negotiating table' through engagement, while the anti-Islamism pro-Israel school seeks to compel Hamas to moderate itself before permitting it to participate in the political process. The pro-national choice school seeks to give Hamas, as a liberation movement, the right of full participation in the political process and, subsequently, the full right to rule and thereby gain official recognition from the international community. In fact, given that Hamas has the same right as other players in the political realm to participate in democratic processes, competing democratically, and that there is no evidence that it will turn its back on democratic processes in the future, Hamas should be accepted by the EU and rest of the world accordingly. If the eventual goal here is democracy rather than satisfying Israel, Hamas will eventually be recognised alongside other democratically elected parties in the world.

Normative Non-Normative EU Foreign Policy Debate towards Hamas;

The importance of discussing whether the EU is a normative actor or not, in terms of its relationship with Hamas, stems from the significance of understanding the actor's nature and motives for undertaking its foreign policy. While many definitions have been given to normative power, the author of this study has adopted a comprehensive and an expressive one to the effect that "a normative power is, therefore, a power that has its identity and strategy grounded on a preference for overarching rules of behaviour applicable—largely but not exclusively—to states and that has three essential characteristics: to have been negotiated and not imposed; to have been legitimated equally by representative international bodies; and to be enforceable on all actors of the international system notwithstanding their rank within it".[71]

In light of having an undemocratic policy towards the democratically elected Hamas movement in Palestine, the EU's self-definition as a normative actor can no longer be taken for granted. Increasingly, many scholars and researchers are discussing whether the European Union can be considered a normative actor, as it regularly declares itself to be, or not. This definition of the role has become more controversial among scholars in light of the way the EU has treated Palestinians after Hamas was elected in 2006. In response to the foreign policy objectives announced by the EU, some researchers have adopted this view as a

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[71] Zaki Laïdi and Cynthia Schoch, *Norms over Force* (Palgrave Macmillan, 2008).

descriptive conception of the EU's status.[72] Meanwhile, others believe that the EU's announcements are not enough for it to be considered a normative actor.[73] It could be argued that the EU is a 'civilian actor' but not a 'normative one' as Tanja A. Borzel and Thomas Risse argued in their study. They have highlighted the differences between the two concepts stressing that most superpowers could be considered, in one way or another, normative actors in some respects or situations. Indeed, all of these powers "tend to build the international (or the regional) system according to their own principles, norms, and rules".[74] Consequently, neither the EU nor any other international power is eligible for the title of 'normative power' by virtue of their announcements or declarations.

This is supported by Nathalie Tocci *et al* who have concluded that all powerful states are the same with regard to the 'normative actor' label.[75] Given that the aforementioned researchers have set a standard for the definition of normative, they have found that all dimensions of the foreign policy of a state should be played consistently before that state may be considered normative. Therefore, the objectives of foreign policy, the means employed to achieve them and the intended consequences or effects thereof should be consistent, as is widely argued in their study. For this reason, being normative or non-normative is a proportional matter meaning that no one can give absolute judgement about any actor. Therefore, this title cannot be taken for granted.[76]

However, the normative power which adopts the promotion of democracy, human rights, the rule of law and peace keeping or any other such norms or values as part of its foreign policy should stick with them to the end. From Laura Allison's viewpoint, "normative power involves the use of norms to influence others, and rather than military or economic force,

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[72] Guy Harpaz and Asaf Shamis, 'Normative Power Europe and the State of Israel: An Illegitimate Eutopia? ', *Journal of Common Market Studies,* 48/3 (2010), 579–616 . Also Michelle Pace, 'The Construction of EU Normative Power', *JCMS: Journal of Common Market Studies,* 45/5 (2007), 1041-64, Ibid. And Laïdi and Schoch, *Norms over Force*.

[73] Nathalie Tocci (ed.), *Who Is a Normative Foreign Policy Actor? The European Union and Its Global Partners* (CEPS Paperback Series, 3, 2008). And, Tanja A. Börzel and Thomas Risse, *Venus Approaching Mars? The EU as an Emerging Civilian World Power* (Berlin Working Paper on European Integration, 11; Berlin: Freie Universität Berlin, 2007). And, Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory'.

[74] Börzel and Risse, *Venus Approaching Mars? The EU as an Emerging Civilian World Power*. p. 1
[75] Tocci (ed.), *Who Is a Normative Foreign Policy Actor? The European Union and Its Global Partners*.
[76] Ibid.

power is exerted through the spread of ideas and opinions through imitation and attraction".[77] In light of this reality and the EU functionality in the world in contrast to this reality, it needs at least to reconsider its position, if preferred not to be bunked, so as to become more compatible and consistent with itself according to the same writer. Accordingly, the EU cannot be considered normative in respect of democracy promotion since it has turned its back on the outcome of the democratic process which led to the election of Hamas in 2006.

According to Harpaz and Shamis, the EU is a normative actor in its foreign policy, although it typically struggles to present itself in such a way. They have shed light on the way the realists and the constructivists perceive the EU in terms of how it defines itself. Moreover, they have discussed the realist perspective which claims that the EU's appearance as a normative actor is an effective strategy for meeting the EU's hard power deficit and, at the same time, for utilizing this title to promote Europe's material interests. Another point of engagement for these scholars has been with the constructivism perspective which conceives the EU's attempts to appear in such a way as those of an actor which is trying to formulate its own socio-political identity and to advance its legitimacy beyond its borders.[78] However, they did not discuss the contradictions between the EU's rhetoric and practices with regard to the case of Hamas. Even so, they have certainly illuminated this issue in a wider theoretical context.

In an attempt to explain the discrepancies between the EU's practices and rhetoric, Barbe and Johansson-Nogues have investigated the ways in which the EU typically tries to strike a balance between utility and values. They have deeply waded into this discussion, acknowledging that although the EU is said to have achieved a moral stance in its exercise of power, it vitiated its endeavours to be labelled as a normative actor when it breached its commitments to its ideals in the case of the 2006 Palestinian elections and elsewhere.[79] Indeed, being a normative actor requires a high level of commitment to the entire democratic process, especially when it happens under the (supposed) normative actor's supervision. Al-Fattal has discussed the consequences of the discrepancies between the EU's rhetoric and practices in the case of the Hamas-led government. She has stressed that the necessity of

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[77] Laura Allison, 'Has the Time Come to Debunk Normative Power Europe', *American Political Science Association (APSA)* (2010).

[78] Harpaz and Shamis, 'Normative Power Europe and the State of Israel: An Illegitimate Eutopia? ',

[79] Esther Barbé and Elisabeth Johansson-Nogués, 'The EU as a Modest 'Force for Good': The European Neighbourhood Policy', *International Affairs, /*84 (2008), 81-96.

bridging this gap is highly important since it has defamed the diplomatic and political authority of the EU.[80] With a foreign policy that tends to be realistic rather than normative in the ME, the EU has a lot to do in order to be treated as a credible promoter of democracy of its own sake. Seeberg claimed that the EU actions in some places in the world could not be considered tactical, but stem from serious realist implicit or explicit agenda; as the writer mentioned, the EU is "a realist actor dressed in normative clothes" no more no less.[81] Therefore, the contradictions inherent in the EU's policy towards Hamas and other Islamic movements in the ME are likely to cause it harm in the long term.

In addition, a normative actor should basically stick to the value of credibility as has been argued in a study edited by Emerson and Youngs. This value, according to the Islamists who were interviewed in the study, has also been systematically breached by the EU and its partners on many occasions. Besides jeopardizing its commitments to the value of democracy by boycotting the outcomes of the democratic process in Palestine, the EU has continued its conservative approach towards Islamists in an obvious conflict with its announced liberal values and objectives. Strikingly, the EU used to argue that it is a normative actor which has a set of unique values as objectives in its foreign policy. Yet, there can be no doubt that its practices on the ground prove otherwise. As a result of this defamed and stigmatized policy, Islamists, among others, distrust the EU as a normative actor, and do not even differentiate between it and the US with regard to the Palestinian elections of 2006. It is still refusing to open a serious dialogue with Islamists while at the same time insisting on its non-humanitarian policy towards the Gaza Strip which is governed by Hamas as stated in the same study.

As Emerson and Youngs argue, this policy obviously conflicts with the liberal values which the EU relies on. According to the the study, the EU cannot be viewed as properly in favour of democracy as long as it voices support for autocrats and boycotts popular currents such as those represented by Islamists in the ME, without even scrutinizing their beliefs or doings. In fact, using this policy has stigmatized the ME Quartet and, in particular, the EU as supporters of autocrats rather than democratic movements in the Arab world as emphasized in the

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[80] Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory'.
[81] Peter Seeberg, 'The EU as a Realist Actor in Normative Clothes: EU Democracy Promotion in Lebanon and the European Neighbourhood Policy', *Democratization,* 16/1 (2009), 81-99.

aforementioned study.[82] Furthermore, the fact that the EU has lost credibility in these respects has also been highlighted by Daniel Mockli in his article, 'The Rise of Islamists in the Near East: the EU, the US, and Hamas' which confirms the same meanings as mentioned above[83]

Al-Fattal has examined the EU's seemingly lost credibility in light of its commitments to prosperity, democracy, the rule of law and good governance. She has done this on the basis of initiatives and agreements launched by the EU like the Barcelona process (the Euro-Mediterranean Policy EMP) and, thereafter, the European Neighbourhood Policy (ENP). As discussed in her study, Al- Fattal believes that the EU, unlike the US which has many complicated calculations, has too much to do in Palestine. It can put enough international pressure on Israel while providing 'carrots' for both the Israelis and Palestinians to cooperate. Additionally, she has highlighted how the EU lost its initiative in Palestine following two major events that took place there: the outbreak of the Second Intifada in 2000 when the EU witnessed the Israeli destruction of Palestine without doing anything to intervene, and the Hamas electoral victory in 2006 when the EU turned its back on its commitments to the promotion of democracy.[84] In light of this reality, Steven Everts has proposed to the EU that, in its attempts to reshape a credible policy, it requires innovative and creative policies which employ the EU's strengths to convince the US "to adhere to particular international rules and treaties with full respect". This could put the EU on track to being consistent with its declared objectives while also intervening between the main parties in the conflict.[85] Indeed, the American factor is a vital one in deciding how the role played by the EU. Given the historical ties which link them together, the EU has not been willing to intervene in the ME outside of the margins set by the US.[86] Thus, the EU suffers many inconsistencies in its foreign policy[87] due to its relationship with the US and its own perception of the conflict there as discussed in various studies.

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[82] Michael Emerson and Richard Youngs (eds.), *Political Islam and European Foreign Policy: Perspectives from Muslim Democrats of the Mediterranean* (CEPS Paperback Issue 5; Brussels: Centre for European Policy Studies, 2007).
[83] Möckli, 'The Rise of Islamists in the near East: The EU, the US, and Hamas'.

[84] Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory'.
[85] Steven Everts, *Shaping a Credible EU Foreign Policy* (London: Centre for European Reform CER, 2002).
[86] Stephan Keukeleire and Jennifer MacNaughtan, *The Foreign Policy of the European Union* (United Kingdom: Palgrave Macmillan, 2008).
[87] 'EU's Position on the Middle East Peace Process: Key Inconsistencies', (updated September 2009) <http://www.dci-pal.org/english/display.cfm?DocId=1253&CategoryId=1>, accessed 12 April 2011.

Another interpretation for the EU discourse against Hamas was expressed by Michelle Pace who stressed that the EU perceives Hamas as an entity which contradicts the core European liberal norms on which the EU has constructed. The EU, according to the writer, is interested in exporting its norms and values pertaining to democracy, human rights, rule of law in its neighbourhood for its own interests mainly stability and security. While Hamas is hardly to change its thoughts, and it is used to functioning in a contradictory way to the EU's way of thinking; it could not be internalized within the European framework of pre-existing social and normative international order. Given this Islamic movement has been on the EU list of terrorists and has not achieved the EU normative standards, this has implied excluding Hamas and treating it accordingly. In the words of Pace "Hamas is constructed as the 'other', an absolutist group which is unlikely to compromise and accept the international community's norms', and due to this fact it is treated in such a way".[88] This interpretation is presented in another article belongs to the same author, considering that the EU preferred Fatah to Hamas after the former lost the 2006-elections because the secular movement Fatah adopts EU liberal norms and values unlike Hamas which does not embrace these values. Hence, the EU preferred 'liberal' party rather than 'democratic' party.[89]

At the same time, Pace believes that the EU adoption of the Westphalian structure of 'nation states' as "the only framework for the 'legitimate' use of violence" is another reason for excluding Hamas since the latter is a non-state actor which has threatened the EU certainties by exercising its violence against an independent state.[90] Contrary to Pace's convictions, in light of mechanisms pursued by the EU for dealing with other examles in the world like China, Russia, Israel, Libya and Syria, an interpretation built on both a Westphalian logic and liberal norms becomes irrelevant. Hence, researchers should discover other convincing explanations that lie behind the EU' policy towards the movement in question.

To sum up briefly, the EU's foreign policy lacks consistency between its normative goals, the means employed to achieve them and its expected results, all of which are conditions for being a normative actor amongst other non-normative ones. The EU declares a set of precious values as objectives of its outside actions, but it is selective in dealing with the uncertain consequences of these actions. This selectivity has in fact damaged the EU's credibility and

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[88] Pace, 'When Liminals Interact EU-Hamas Relations'.
[89] Michelle Pace, 'Interrogating the European Union's Democracy Promotion Agenda: Discursive Configurations of 'Democracy'from the Middle East', *European Foreign Affairs Review, /*15 (2010), 611-28.
[90] Pace, 'When Liminals Interact EU-Hamas Relations'.

left it stigmatized particularly after it boycotted the Hamas-led government and the subsequent national unity government formed in Palestine in 2006. For these reasons, the EU can no longer be considered a normative power. Therefore, the motives for the EU's rejection of Hamas reflect not so much its declared or adopted values, but rather other considerations and determinants which will in-depth be uncovered in this research.

The 'Engaging Hamas Approach' vis-à-vis 'Isolation Approach'

In line with democratic process, the matter of whether Hamas should be politically engaged or not is basically supposed to be determined by the ballot box. Therefore, the people of Palestine are responsible for the decision to elect Hamas rather than the Quartet or the EU, as is commonly known. In light of this democratic axiom, the EU's policy of boycotting Hamas which it has pursued since 2006 is, in fact, an attack against democracy itself, as believed by observers. Although it is supposed to be a national decision, many scholars and studies are dramatically divided over this issue: while many of them have condemned the EU for its policy toward Hamas[91], others have enthusiastically supported it and even called for tougher action.[92]

Many scholars have claimed that engaging Hamas in the political game of the ME is a rational policy because it has been democratically elected. According to these scholars, it is extremely difficult for decision-makers who are involved in the ME to ignore the political weight of Hamas in Palestine and the Islamists who back it.[93] Even though it holds radical notions towards the peace process, and has not compromised its basic principles, the hope of moderating it through the engagement approach is the best option according to those scholars. The logic of 'moderation through engagement' is clearly presented by Nathan J. Brown in his study, *Aftermath of the Hamas Tsunami* (2011). According to Brown, this approach could help to convince Hamas to back away from its rigid stance against the peace process and, at

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[91] Biscop, 'The ENP, Security and Democracy in the Context of the European Security Strategy'.(And), Gunning, *Hamas in Politics: Democracy, Religion, Violence*.
Hamdan, 'The European Attitudes Towards the Palestinian Resistance Movements; the Case of Hamas [Translated]'.
Leila Nicolas Rahbani, 'Comment on the Paper "the Backgrounds of the European Foreign Policy Towards the Palestinian Issue', Ibid.

[92] Kemp, 'Europe's Middle East Challenges', (And), Rubin, 'Understanding Hamas, a Detailed Assessment', (And) Schanzer, *Hamas Vs. Fatah; the Struggle for Palestine*. (And), Anonymous, 'The Hamas Factor', in Adam Ward (ed.), (Strategic Comments, 10: 4; London: The International Institute for Strategic Studies, 2004).

[93] Pace, 'Liberal or Social Democracy? Aspect Dawning in the EU's Democracy Promotion Agenda in the Middle East',

the same time, give freer rein to Western diplomacy which has limited itself since 2006 by boycotting the movement.[94] In fact, this logic has mainly been supported by those of the pro-democratic school of thought who are convinced that enabling Hamas to govern after its election victory is one of the demands of democracy, and thus hoping that the containment policy might lead to moderation. In his thesis based on this assumption Salim Zaanoun considered that the EU shift, from treating Hamas as a terrorist organization to a vision built on involving it in democracy as appeared before the 2006 elections, enhanced in practice stability and security compared to previous periods.[95]

After the failure of the 'West Bank First' approach used by the EU and its counterparts, it is obvious that sanctions against Hamas will not push the movement to succumb to [the EU's demands], as has been concluded by Carolin Goerzig. Goerzig has discussed, in her study, '*Engaging Hamas: Rethinking The Quartet Principles*' (2008), the faults of the EU's assumptions which suppose that fruitful outcomes for the peace process can be achieved if sanctions and pre-conditions for dialogue are placed on Hamas before it is politically engaged with. Thus, according to her study, 'watering down the Quartet conditions' on Hamas is the only possible way for the EU to get out of the hole it has dug for itself. Undoubtedly, a strict lesson should be strictly learnt from the IRA-UK negotiations, specifically when the IRA refused to lay down its weapons as a pre-condition of peace. This position of the IRA has ultimately not been an obstacle to successful negotiations.[96] Thus, engaging Hamas and containing it does not mean that it must first be disarmed. To the contrary, a dialogue could proceed with Hamas while it holds its weapons in hand, as Goerzig argued. Moreover, the rationale of disarming liberation movements before they have achieved their national goals is a peculiarly colonial way of thinking whereby colonial powers try to compel others to follow colonialists' will according to their own narrow calculations. Thus, building a constructive relationship with Hamas and Islamists, based on mutual respect on the one hand and the rights of people to self-determination on the other, is a crucial recipe for a peaceful future as highlighted by Boubackeur.[97]

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[94] Brown, 'Aftermath of the Hamas Tsunami',

[95] Salim Mohammed Zaanoun, 'The European Union's Policy Towards the Islamic Movements in the Arab Region: A Case Study of the Islamic Resistance Movement (Hamas), 2001-2007 [Translated]', *Arab Future Journal* /395 (January 2012), 96-107.

[96] Goerzig, 'Engaging Hamas: Rethinking the Quartet Principles'.

[97] Boubekeur, *Updating the European Union's Policies Towards Islamist Parties and Radical Actors*.

Furthermore, the double standards of the EU's logic are obvious in regard to how it deals with Hamas and Iran, both of which hold the same thoughts towards Israel and thus complement each other. The EU's refusal to talk to Hamas as a democratically elected movement while it talks to Iran, whose president openly called for the destruction of Israel and also funds Hamas by various means, is an obvious hypocrisy. This view, which has been raised by Sven Biscop, is supported by others who have also called for the EU to launch an immediate dialogue with Hamas and all Islamists in the ME alongside its dialogue with Iran.[98]

Likewise, Emerson and Young have called for the EU to review its 'blind eye' policy towards the Islamists and, in particular, Hamas. They have claimed that ignoring these movements' existence can no longer be considered 'a benign neglect' and, moreover, that this position does not benefit the EU. They have highlighted the 'blind eye' approach which is pursued by the EU towards Hamas as compared to Israel. At the same time, the US-Israeli stance, which has been followed by the EU, of sustaining the Fatah movement inside the West Bank and isolating Hamas in the Gaza Strip has been deeply refuted in Emerson and Young's study.[99] In the same vein, Larbi Sadiki has argued that ignoring the existence of Hamas in building peace in the ME is like ignoring an elephant in a tidy room. Specifically, he states 'pretending something in that size absent is an exercise in futility' (*sic*) and thus calls for engagement with Hamas without betting on time factors for liquidating or undermining its capabilities. Furthermore, Sadiki has discussed three factors concerning Hamas which call for special attention: "leadership renewal, its message and political resourcefulness",[100] all of which have assured its eligibility of being engaged in international politics without imposing pre-dialogue conditions on the movement.

Timo Behr has also called for building good relationships with Islamists, including Hamas, in his paper, *Dealing with Political Islam: Foreign Policy-Making between the Union and the Member States*. He claimed that without this benign relationship, it seems unlikely that the EU can succeed in developing a workable strategy in the ME. Taking into account the example of Hamas in 2006, he argues widely in his paper that it is "impossible for the EU to adopt a genuine reform strategy for its southern neighbourhood without determining the role

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[98] Biscop, 'The ENP, Security and Democracy in the Context of the European Security Strategy'.
[99] *Emerson and Youngs (eds.), Political Islam and European Foreign Policy: Perspectives from Muslim Democrats of the Mediterranean.*
[100] Larbi Sadiki, 'The Elephant in the Room ', *Aljazeera* (aljazeera .net 2010).

of Islamist actors within this strategy". Furthermore, he states that "Islamist actors retain a considerable spoiler potential in EU efforts at crisis management and conflict settlement in the region", all of which are matters the EU should take into account. Indeed, if the EU wants to play a larger role in these issues, it "cannot escape from taking a clear position on what place it is willing to grant these actors in the future regional context".[101]

Significantly, the legitimacy of the conditions imposed on Hamas by the EU and its counterparts are in doubt, and not based on any legal reasoning. This lack of legitimacy is discussed critically in a study by Urfan Khaliq, who has waded deeply into the ethical dimensions of the EU's foreign policy.[102] This issue is also highlighted by Natalie Tocci in her study which discusses the extent to which this policy clashes with international law. With the exception of the condition of renouncing violence, she argued that the other conditions imposed on Hamas are neither persuasive nor legitimate. This is because only states can be asked to recognize other states and announce their commitments to previously signed treaties.[103] To illustrate, if any party is elected in a democratic state, it should be subject to accountability in light of its deeds on the ground, not upon its pre-election rhetoric. Contrary to the EU's current foreign policy, this condition should also apply to Hamas since it was democratically elected in 2006.

The EU approach to Hamas stemmed from its miscalculating and misreading the movement. It is obviously influenced in this respect by Islamophobia and Terrorism studies, which engulfed the West after the events of September 11th, 2001. Yet Hamas is a very different movement as Jeroen Gunning discusses in his study, *Hamas in Politics: Democracy, Religion, Violence* (2007). From his close empirical observations, Gunning discusses how this movement respects and encourages democratization among the Palestinians. Furthermore, he stresses the importance of talking to Hamas directly, not only talking about it through others' insights, in order to accurately understand the extent to which this movement is pragmatic, respectful for the basics of democracy, and its decisions are based on considerations of gains and losses. Due to this assessment, he concludes that continuing to see Hamas as a demonic movement, as the EU currently does, will not lead to stability or a

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[101] Behr, 'Dealing with Political Islam: Foreign Policy-Making between the Union and the Member States'.
[102] Urfan Khaliq, *Ethical Dimensions of the Foreign Policy of the European Union: A Legal Appraisal* (Cambridge: Cambridge University Press, 2008).

[103] Tocci, 'What Went Wrong? The Impact of Western Policies Towards Hamas & Hizbollah'.

better future in the ME.[104] Consequently, abandoning the conditions imposed on Hamas could open a door to a better understanding of its role in the context of liberation rather than terrorism as has been done up to now in the West.

Moreover, the debate about the 'Moderation First' and 'Engagement First' approaches has been presented by Minna Saarnivaara in her 2010 paper, '*The EU and Hamas: No Easy Options*'. She stresses that while the first approach is "unlikely to commence but likely to last, the second approach is likely to commence but unlikely to last". Therefore, she calls for exiting beyond "[the] everything or nothing" dilemma, suggesting that "[o]nly a trade-off between factors inducing or hindering negotiation willingness and sustainability can point to a way out of the dilemma between a moderation or engagement first strategy [sic]".[105] However, those who call for moderating Hamas assume in advance that it lacks rationality in terms of its basics and principles. This matter that is debatable among supporters of the three schools of thought will be discussed further in the study.

In sharp contrast to these works, anti-Islamism and pro-Israel researchers have called for rigid punitive measures to be taken against Hamas. One of them is Jonathan Schanzer who has written a study portraying Hamas as a counterpart to Al-Qaeda that deserves to be combated and excluded rather than engaged. According to the same source, any attempt to engage with Hamas in the political game or to open any dialogue with it will be considered a valuable reward to terrorism. Therefore, Schanzer has regularly tried to convince the West to invest in reformers in Palestine rather than Hamas or even Fatah which are not ready to make peace with Israel for different reasons.[106] Despite the reality of Hamas as a domestic liberation movement, these scholars continue to claim that it is equivalent to Al-Qaeda or other international terrorist organizations. Another such scholar is Matthew Levitt who, in his paper 'Could Hamas Target the West?', repeatedly attempts to link Hamas to international terrorist groups by suggesting that it will inevitably begin to target Western interests in the world.[107] In the same vein, Geoffery Kemp has asked Europe in his paper, *'Europe's Middle East Challenges'*, to cooperate with the US and Israel in tightening the screws on Hamas by boycotting it. According to his study, Europe will be the eventual loser if it does not do more

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[104] Gunning, *Hamas in Politics: Democracy, Religion, Violence*.
[105] Saarnivaara, 'The EU and Hamas: No Easy Options'.
[106] Schanzer, *Hamas Vs. Fatah; the Struggle for Palestine*.
[107] Matthew Levitta, 'Could Hamas Target the West?', *Studies in Conflict & Terrorism,* 30/11 (2007), 925 - 45.

to combat Hamas. Thus, he argues that due to geo-strategic considerations Europe will remain without a significant role in the ME if it does not take a tough stand against Hamas. Therefore, according to Kemp there can be no compromises with the movement because it has declared its absolute hostility to peace.[108]

While some researchers have discussed the existence of two lines within Hamas, namely moderates and radicals or doves and hawks, Barry Rubin, the editor of the *Middle East Review of International Affairs* (MERIA) *Journal*, rejected this categorization claiming that there are no significant differences between them. He believes that both of groups are the same in terms of their support for terrorism, and differ only in their tactical statements. Thus, in sharp contrast to Sadiki who argues for the pro-national choice school which acknowledges the diverse nature of Hamas,[109] Rubin claims that Hamas is a nihilistic movement lacking in any peaceful insights. Accordingly, this implies that it should always be isolated and not rewarded by international actors.[110] This assessment of Hamas is shared by many others from the same school of thought. For example, Adam Word described the mind-set of Hamas as being built on a rigorous religious ideology which does not accept Israel or the West alike. For this reason, Word has appealed to the EU and its allies to place more pressure on Hamas without giving it any breathing room, even after it has been targeted by Israel and boycotted by the international community. Meantime, he called out to Western governments to oblige even the PA itself in taking over this duty without delay.[111] In the same vein, Meir Litvak accused Hamas of transferring the conflict between the Palestinians and Israelis from traditional nationalist patterns to a religious level, thereby tremendously worsening the situation in the ME. He portrays Hamas as a movement whose driving ideological principles basically create the confrontation in Palestine with the West and subsequently its bridgehead, Israel.[112] However, he has ignored the Israeli side which is based on religion, and which has regularly used Judaism to encourage Jews from around the world to migrate to Israel.

Meanwhile, Thomas Risse has expressed no surprise about the EU's policy towards Hamas. Indeed, he claims that "value trade-offs and conflicting goals are normal parts of political life

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[108] Kemp, 'Europe's Middle East Challenges',
[109] Sadiki, 'The Elephant in the Room '.
[110] Rubin, 'Understanding Hamas, a Detailed Assessment',
[111] Anonymous, 'The Hamas Factor'.
[112] Meir Litvak, 'The Islamization of the Palestinian-Israeli Conflict: The Case of Hamas', *Middle Eastern Studies,* 34/1 (1998), 148-63. p. 148

including foreign policy". Thus, from this perspective, adopting the isolation approach against Hamas seems to be reasonable given that, as he mentioned, the movement is "a terrorist organization whose declared goal is both the Islamization of Palestinian society and the destruction of Israel" whereas Israel represents "the only consolidated liberal democracy in the ME and a security ally of both Europe and the US".[113] The Israeli bias in these statements is easily noticeable. Indeed, whether one accepts Hamas or not, a more objective approach needs to be taken towards Hamas in order to fully understand its significance within the context of the Israel-Palestine conflict. Hamas is foremost a socio-political movement with the aim of liberating Palestine.[114] Interestingly, it has an Islamic background ideology but this is not its main feature as a political movement. Thus, it should be assessed in this context rather than in light of controversial ideas like terrorism and Islamization. Actually, any attempts to isolate or suffocate Hamas will not lead to stability in the ME. To the contrary, the political scene will continue to witness waves of violence in the region as long as the Palestinian cause remains unresolved.

In fact, this series of calls to isolate Hamas have been challenged by other pro-democracy researchers who stressed the serious consequences of this approach. Amel Boubekeur is among those who have discussed the faulty rationale of the anti- Islamization and pro-Israel school of thought which has adopted the 'moderation first' approach in the hope that isolating Hamas will help to pacify it. In her study, she states that this rationale is no longer fruitful, and those greater attempts to marginalize Islamists and Hamas, in particular, will lead to further violence towards the West. Therefore, Baubekeur urged the EU to work more closely with both secular and non-secular parties in Islamic states. She expects that this cooperation will place challenges on the Islamists' shoulders which will push them to clarify their positions on so-called 'grey zones' which usually concern the West.[115]

In addition to the negative consequences that sidelining Hamas has had on the peace process in the ME, as Sadiki highlighted in his study,[116] the EU's policy of marginalizing and isolating Hamas has had the effect of weakening moderates within Hamas while

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[113] Thomas Risse, 'Conclusions Towards Transatlantic Democracy Promotion', in Amichai Magen, Thomas Risse, and Michael A. Mcfaul (eds.), *Promoting Democracy and the Rule of Law, American and European Strategies* (London: Palgrave Macmillan, 2009). p.262

[114] Hamdan, 'The European Attitudes Towards the Palestinian Resistance Movements; the Case of Hamas [Translated]'.

[115] Boubekeur, *Updating the European Union's Policies Towards Islamist Parties and Radical Actors*.

[116] Sadiki, 'The Elephant in the Room '.

strengthening the position of hard-liners as has been outlined in a study by Are Hovdenak. Hovdenak elaborated on the extent to which the EU has undermined its own efforts to promote democratization and institutionalization within the Palestinian polity by its boycotting of the Hamas-led democratic government.[117] However, these consequences are small compared to the fact that it has also breached the principles of democracy and so damaged the credibility of Western democracy promotion projects. For this reason, the EU has been portrayed as lying to the Palestinians and the other peoples of the ME.

Alain Gresh has interpreted the policies of the West towards the Palestinian cause as reflecting a dominant feeling that Palestine is a front in the so-called 'clash of civilizations' following the events of September 11th, 2001.[118] This view is corroborated by Layla Rahbanee who has claimed that the West has gone through a period of cultural self-redefinition in which it has moved away from a Greco-Roman background towards a Judeo-Christian one. This redefinition of the self in Europe implies a high level of ideology in its behaviour towards the Arab-Israeli conflict.[119] After September 11th many other areas of tension came to light such as terrorism, and the situations in Yemen, Somalia, Sudan, Afghanistan, Iraq, Iran and many other hotbeds of tension and conflict. This viewpoint puts Palestine in the wrong context as has been discussed by Abdel Fattah Rashdan. By placing Hamas outside of its context in this way, the EU member states have mistakenly classified it as a terrorist organization equivalent to Al-Qaeda and other stigmatized groups, and thus limited any possibility of contacting Hamas or involving it in negotiations.[120] However, the differences between Hamas and other stigmatized organisations should have been highlighted in light of Hamas' beliefs and methods of struggle rather than preconceptions and misapprehensions about the movement.

Likewise, Youngs and Wittes highlighted the extent to which dealing with Hamas in such a way has inflamed Arab and Islamic feeling towards the West as if it were an anti-Islamism

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[117] Hovdenak, 'Hamas in Transition: The Failure of Sanctions',

[118] Alain Gresh, 'The Backgrounds of the European Foreign Policy Towards the Palestinian Issue', *The Europeans Foreign Policy towards the Palestinian Issue* (Beirut: Al-Zaytouna Centre for Studies and Consultations, 2010).

[119] Leila Nicolas Rahbani, 'Comment on the Paper "the Backgrounds of the European Foreign Policy Towards the Palestinian Issue', Ibid.

[120] Abdulfattah Alrashdan, 'The Palestinian and Arab Stances on the European Role in the Settlement of the Palestinian Issue [Translated]', Ibid.

actor. The EU's double standards towards Arab causes and issues have defamed the West and highlighted how shaky the scope of the relationship between Europe and political Islam could be in the future.[121] In a similar vein, Schmid and Braizat have claimed that the sanctions imposed on the democratic Hamas-led government have had a hugely negative effect on how the West is perceived in the Islamic world. Furthermore, they have reflected on the depressing impact of the sanctions which have had on the feelings of Palestinians towards Western speeches about democracy and Human Rights. As concluded in the same study, the suspension of Western aid to the Palestinians after the 2006 elections was clearly interpreted by some leaders in the region as a backwards move by the West, symbolising a rising anti-democratic trend.[122] Indeed these new Western attitudes towards democracy have encouraged dictatorships to continue suppressing the political wills of their peoples.

Approaching the matter from a different angle, BaniFadel has concentrated on the EU's concern for security in the agreements which it has signed with the PA. These agreements give priority to the security[123] concerns of the Israelis while making the dissolution of all Palestinian (terrorist) organisations a binding condition on the PA. These conditions have paved the way to civil war between the Palestinians and provided strong evidence of the EU's double standards in dealing with the two sides: they also show a lack of accountability placed on Israel.[124] Yet, as a popular movement in Palestine, Hamas and its followers in the Arab and Islamic world could become one of the main actors and a decisive political force in the ME in the future. Thus, if it did not build a strong relationship with Hamas, the EU could lose its benefits in the region and contribute to tensions which could ultimately lead to military conflict.

To conclude, researchers and intellectuals from three schools of thought are divided over the question of whether engaging with Hamas or isolating it is the best way to achieve stability

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[121] Richard Youngs and Tamara Cofman Wittes, 'Europe, the United States, and Middle Eastern Democracy', in Amichai Magen, Thomas Risse, and Michael A. Mcfaul (eds.), *Promoting Democracy and the Rule of Law, American and European Strategies* (London: Palgrave Macmillan, 2009).

[122] Dorothée Schmid and Fares Braizat, 'The Adaptation of EU and US Democracy Promotion Programmes to the Local Political Context in Jordan and Palestine and Their Relevance to Grand Geopolitical Designs', (EuroMesco papers 50; Barcelona: Euro-Mediterranean Study Commission, 2006).

[123] Security definition as ' the absence of threats', which is adopted by the author of this thesis, belongs to Ken Booth, see Ken Booth, 'Security and Emancipation', *Review of International Studies,* 17/4 (1991), 313-26. p. 319

[124] Banifadel, 'The EU Role in Political Development Towards the Occupied Palestinian Territories (1991-2007)[Translated] ', p. 25

and prosperity in the ME. While each school has its reasons and justifications for its beliefs, it is apparent that three distinct tendencies can be perceived behind them: a democratic procedural tendency with the political objective of taming Hamas to deal with the demands of the international community; the next is an Israeli and anti-Islam tendency which is clearly influenced by the perspective of Orientalism which justifies and urges a colonial trend in the EU's policies; finally there is a national tendency which raises the value of feeling dignity and respect regardless of any imposed policies. The priority of the latter is the ballot box in Palestine and throughout the entire ME as opposed to the will of colonial powers. Thus, the EU policy, which focuses on boycotting Hamas and seeking peace without its approval, should be revisited in light of realities on the ground. In this way, the serious consequences of such a policy on Palestine and the ME, on the one hand, and on Western interests, on the other, can be better appreciated. Many things still need to be done in order to accurately understand the EU's stance towards Hamas and, in particular, the democratic process by which it came to power in 2006. However, the reasons for the EU's policy have not so far been sufficiently highlighted or discussed. It is believed that there are many ambiguous areas in this relationship which need to be studied particularly the influence of identities of both Hamas and the EU in establishing and deepening the gap between EU rhetoric and deeds towards the promotion of democracy in Palestine in 2006. Therefore, my forthcoming work is dedicated to addressing these questions and areas in depth.

Chapter Two: Theorizing the EUFP towards Hamas

The significance of theorizing the EU's foreign policy towards Hamas lies in the necessity of having a solid theoretical background upon which observers become capable of reading this policy and predict its potential extent and functions. Hence, this introductory chapter furnishes a proper ground for the remaining chapters of this study by presenting the used definitions, theories and approaches by which the framework of the research has to be articulated. In this respect, the policy of the EU will be placed in a wider context, according to its driver's position and interests in the ME, composed of a spectrum of perceptions, readings, strategies, and controversial manifestations. However, the Arab-Israeli conflict, as a basic motivating factor of manoeuvring in this region, is the axis around which the EU's policy towards Hamas dramatically revolves; therefore, it has been specifically highlighted. Consequently, all illustrative modules in the study are carefully positioned so as to precisely formulate the foundations of the analytical logic. Thus, some of these underscored areas of discussion have been addressed with redundancy, while others are concisely underlined according to their proportional significance and relevance to the topic in question.

Foreign Policy - a Multi-dimensional Perspective

It is true that the concept of 'EU foreign policy' (EUFP) has been a debatable discourse among scholars of European politics, but this does not negate the fact that the EU has practised this exercise whereever it has had an agreed common policy. Christopher Hill and David Allen are among those who have been sceptical about the possibility of having such a policy compared to others who enthusiastically used the conception. According to Hill, "'European foreign policy' itself was, and remains, an elusive concept",[125] while Allen confirms that the EU cannot be considered as having a foreign policy, unless it establishes a European state and hence a European government which, after developing a coherent set of goals and policies, enables it to function in the world consistently and effectively.[126] Despite these somewhat pessimistic academic views on the EU's status quo, the researcher pays little attention to the arguments of Hill and Allen, but regards the EU as having an ad hoc foreign policy towards Hamas as well as other areas in the world.

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[125] Christopher Hill, 'Closing the Capabilities-Expectations Gap? ', in John Peterson and Helene Sjursen (eds.), *A Common Foreign Policy for Europe? Competing Visions of the CFSP* (London and New York: Taylor & Francis e-Library, 2005). p. 19

[126] Thomas, 'The Challenge of EU Foreign Policy'. p. 3; also Brian White, *Understanding European Foreign Policy* (New York: Palgrave Publishers Ltd, 2001). p. 37

This approach stems from the reality of adopting definitions in the study, which are based on other scholarly opinions. For example, Daniel Thomas considers the EU foreign policy as an actual reality that is composed of "the set of policies adopted by the Union's member states to address issues and manage relationships beyond their collective external border."[127] Similarly, Stephan Keukeleire and Jennifer MacNaughtan believe that the foreign policy concept is applicable in the case of the EU, and consider it as "the area of politics which is directed at the external environment with the objective of influencing that environment and behaviour of other actors within it in order to pursue interests, values and goals."[128] This, in the classic view of Walter Carlsnaes, entails

> those actions which [are] expressed in the form of explicitly stated goals, commitments and/or directives, pursued by governmental representatives acting on behalf of their sovereign communities, and directed towards objectives, conditions and actors – both governmental or non-governmental – which they want to affect and which lie beyond their territorial legitimacy.[129]

Since these deduced meanings of foreign policy have comprehensive and precisely descriptive operational processes, they are adopted here whenever the foreign policy concept is mentioned.

In addition to the these meanings of 'foreign policy' and the EU's foreign policy in particular, the EU has been formulated as a united political-economic regime that has improved significantly in recent decades. It is evident that this formulated entity is compatible with Rittberger's definition of the regime as "sets of implicit or explicit agreed-upon principles, norms, rules, procedures and programmes that govern the interactions of actors in specific areas".[130] In fact, this integrated European regime implies having a foreign policy which could be read through these interactions, in particular with Hamas's instantiations on the ground and the rest of the Palestinians in the wider ME context.

In this regard, conventional and structural foreign policy will be highlighted in the study so as to find out the genuine European policy as pursued in Palestine and how, up to the present, this relates to the failure to reach any convincing outcomes. Indeed, while conventional FP is "oriented towards states, military security, crises and conflicts", the latter refers to foreign

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[127] Jeffrey Lewis, 'EU Policy on the Iraq War and Its Aftermath: The Breakdown and Revival of Consensus-Based Decision-Making', in Daniel C. Thomas (ed.), *Making EU Foreign Policy National Preferences, European Norms and Common Policies* (New York and UK: Palgrave Macmillan, 2011). p. 10

[128] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 19

[129] Steve Smith, Amelia Hadfield, and Tim Dunne (eds.), *Foreign Policy; Theories Actors Cases* (New York: Oxford University Press, 2008). p.2

[130] White, *Understanding European Foreign Policy* . p. 22

policy which, "conducted over the long-term, seeks to influence or shape sustainable political, legal, socio-economic, security and mental structures".[131] In light of these definitions, the definition adopted for the EU's foreign policy refers institutionally to "the process of foreign policy coordination known as European Political Cooperation (EPC), which began in the 1970s and was upgraded by the Maastricht Treaty into a Common Foreign and Security Policy (CFSP) in 1993."[132]

Basically, the existence of 'foreign policy' (FP) in this context assumes distinguishing between "inside – an actor and its domestic context, and outside/foreign – the environment the actor faces",[133] in addition to the political perception of their interaction. In fact, everything discussed in the internal sphere which constitutes "the essence of decision"[134] is looked at under the term "foreign policy decision-making"[135] (FPDM). In practice this implies paying special attention to all internal socio-political and psychological interactions which influence the decision-makers, while simultaneously making it imperative to analyse inconsistencies of the EU discourse, as a 'unit of analysis', so as to address the question of "who does what to whom, how and why".[136] Significantly, as Snyder et al emphasize, using this approach as a fundamental focus could be perceived as a form of "organizational behaviour", according to which "the determinants of action around those officials who act for the political society" would be understood.[137] To put it in another way, differences in foreign policy choice can be investigated to determine how they are steered by specifics of nations and the key influencing factors derived from them.[138] As Robert Jervis explained, "if one wishes to probe the 'why' questions...underlying the events, conditions, and interaction patterns which rest upon state action, then decision-making analysis is certainly necessary."[139]

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[131] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 25
[132] White, *Understanding European Foreign Policy* . p. 38
[133] Stephan Keukeleire and Simon Schunz, 'Foreign Policy, Globalization and Global Governance - the European Union's Structural Foreign Policy', *ECPR Standing Group on the European Union Fourth Pan-European Conference on EU Politics* (Riga, 2008). p.2
[134] Alex Mintz and Karl Derouen, *Understanding Foreign Policy Decision Making* (New York: Cambridge University Press 2010). p. 6
[135] Keukeleire and Schunz, 'Foreign Policy, Globalization and Global Governance - the European Union's Structural Foreign Policy'.p. 2
[136] Mintz and Derouen, *Understanding Foreign Policy Decision Making*. p. 9
[137] Smith, Hadfield, and Dunne (eds.), *Foreign Policy; Theories Actors Cases*. p. 13
[138] Ibid. p. 17
[139] Robert Jervis, *Perception and Misperception in International Politics* (Princeton: Princeton University Press, 1976). p. 12

Furthermore, studying how the decision-making process functions in the foreign policy of any actor "is as important if not more, than studying the outcomes of this policy."[140] This importance springs from the reality that "the way decisions are made can shape the eventual choices" which are directed towards affecting a nation's behaviours in the international arena.[141] Moreover, if it can be understood how decisions are made, it becomes easier to understand and, perhaps more importantly, to predict outcomes in the international field.[142] This analytical process can certainly uncover the cognitive processes that lead to foreign policy making and "get into the minds of leaders who make the decisions",[143] and in this way an in-depth understanding of prejudices, incentives and perspectives can be achieved.[144] Indeed, "the mind of the decision-maker contains complex related information and patterns such as beliefs, attitudes, values, experiences, emotions, traits, style, memory, national and self-conceptions",[145] and is a matter that requires an especially effective FPDM approach through which all the complexities previously mentioned could be explored.

Accordingly, as a distinctive approach in this study, FPDM is served by a spectrum of tools of analysis. Given the diversity of considerations, factors, and calculations which typically used to build the lowest common denominator, EU foreign policy, which is collectively built and mostly decided through a complicated process of negotiations (including bargaining[146]) and trade-offs within and among member states should be understood analytically in light of this range of theoretical/instrumental equipment. Therefore, the outcomes of the European Union's decision-making machine, which were prepared by way of familiar EU institutions, generally express the attitudes of the member states; however this does not negate differences between these states in terms of their enthusiasm and determination of pursuing adopted policies towards exterior actors, represented, in this case, by Hamas. Thus, it is obvious that getting into this investigation through a foreign policy analysis (FPA) approach[147] with a

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[140] Smith, Hadfield, and Dunne (eds.), *Foreign Policy; Theories Actors Cases*.p.16

[141] Mintz and Derouen, *Understanding Foreign Policy Decision Making*.p. 4

[142] Ibid.p. 4

[143] Ibid.p. 5

[144] Ibid.p. 6

[145] Smith, Hadfield, and Dunne (eds.), *Foreign Policy; Theories Actors Cases*. p. 20

[146] To bargain means "that individuals and bureaucratic units cut deals at the level of strategy and specific tactics, while protecting their core policies and interests." See Jeffery T. Checkel, 'Constructivism and Foreign Policy ', in Steve Smith, Amelia Hadfield, and Tim Dunne (eds.), *Foreign Policy: Theories. Actors. Cases* (New York Oxford University Press, 2008).p. 76

[147] 'FPA' means "the subfield of international relations that seeks to explain foreign policy, or alternatively, foreign policy behaviour with reference to the theoretical ground of human decision-makers, acting singly and in groups". See Valerie M. Hudson, 'The History and Evolution of Foreign Policy Analysis', in Steve Smith, Amelia Hadfield, and Tim Dunne (eds.), *Foreign Policy; Theories Actors Cases* (New York: Oxford University Press, 2008). p. 12

specific focus on the decision-making process (DMP) is vital in terms of achieving an inclusive understanding of all these variables and interactions within the EU environment. Eventually, as confirmed empirically and as will be illustrated in this research, the FPDM approach is typically "equipped with theories and models that help us understand how biases and errors, uncertainty, domestic politics, and various decision units can shape decisions."[148]

Another dimension of foreign policy is the external milieu which is considered a fundamental aspect of those related to this analysis. Indeed, "the view foreign policy analysts hold depends largely on the chosen level of analysis"; some concentrate on actor-based analysis while others focus on a structure-based perspective.[149] For the purpose of analysis in this study, applying a combined actor/agent-structure approach, as discussed below, is particularly appropriate for understanding the environment in which the EU's foreign policy towards Hamas and the Middle East has been operating.

Furthermore, 'foreign policy implementation' (FPI) is another important dimension in the analytical process of the foreign policy which should be emphasized. However, it is different from FPDM and the external milieu. According to Keukeleire and Schunz, the former includes the way in which the mechanism of the foreign policy decision-making (FPDM) affects outcomes during implementation particularly when actors and their environments get into confrontation.[150] The consequences of this interaction/implementation are emphasized in this process in order to assess the effectiveness of actors' policies while being implemented in the international field. Thus FPI is highly appreciated in terms of highlighting how Hamas has been treated and hence the strategic impacts and reflections on all the actors involved in the ME.

To conclude, the focus on the rationale discussed above will be especially instructive since this analytical process provides fully-developed perceptions of relations between internal actors and their targets. Hence, "the effects of key international, domestic, and cultural factors"[151] of the EU's policy towards Hamas, as well as the influential instruments used and their subsequent consequences, which collectively contribute to the intertwined analytical

[148] Mintz and Derouen, *Understanding Foreign Policy Decision Making*.p. 7
[149] Keukeleire and Schunz, 'Foreign Policy, Globalization and Global Governance - the European Union's Structural Foreign Policy'.p. 2 ,and Walter Carlsnaes, 'Actors,Structures, and Foreign Policy Analysis', in Steve Smith, Amelia Hadfield, and Tim Dunne (eds.), *Foreign Policy: Theories. Actors. Cases* (New York: Oxford University Press, 2008).p. 91-94
[150] Keukeleire and Schunz, 'Foreign Policy, Globalization and Global Governance - the European Union's Structural Foreign Policy'. p. 3
[151] Mintz and Derouen, *Understanding Foreign Policy Decision Making*. p. 10

process and determine how actors act and react, will be explicitly and comprehensively illuminated. The aim is to be able to explore how and why decisions made by the EU have been drawn towards this movement in such a way, despite the fact that Hamas was democratically elected and, as has been argued, is simply exercising its internationally-guaranteed right of resistance against the Israeli occupation of Palestine. Accordingly, many aspects of theories and approaches are applied in addressing these issues.

Theories and Approaches in the Service of FPDM

International relations (IR) theories and social theories in general, are used to explain, interpret, and understand the policies of international states or actors, and their reflections in the socio-political world.[152] Indeed, their significance lies in their capability to create underpinning principles which constitute the basis of an accurate understanding of what happens, and is happening, in the political environment. Therefore, without these illuminating tools, the accuracy and capacity to comprehend the EU's policies or events that have occurred, or even to foresee something of the future, is lacking. At the same time, one cannot generalize a theoretical approach without sufficient evidence, supported by a profound understanding, of what is going on in the political realm.[153] Consequently, the EU's social environment which is made of "intersubjective understandings, subjective knowledge and material objects"[154] can be considered as a laboratory, in which the validity of social theories can be examined and from which theorists can understand socio-political actions.[155]

In the same vein, and given that the EU is a unique international actor[156] compared to other global actors, no single theory or approach can offer total accuracy in interpreting or explaining its policies. Indeed, according to some scholars, this duty is not as applicable as it is in the natural sciences or in physical realities since scientific developments mean that the latter may be interpreted or predicted precisely, and on the whole are not widely exposed to potentiality. By contrast, social sciences, including the study of EU foreign policy, have a high level of uncertainty which suggests the application of a diversity of tools to interpret or

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[152] See: Mark A Pollack, 'Theorizing EU Policy-Making', in Helen Wallace, Mark A. Pollack, and Alasdair R. Young. (eds.), *Policy- Making in the European Union* (6 edn.; Oxford: Oxford University Press, 2010a). p. 16-42

[153] Smith, Hadfield, and Dunne (eds.), *Foreign Policy; Theories Actors Cases*. p.1

[154] Emanuel Alder, 'Constructivism and International Relations ', in Walter Carlsnaes, Thomas Risse, and Beth A. Simmons (eds.), *Handbook of International Relations* (London: SAGE Publications Ltd, 2003).p. 100

[155] Pollack, 'Theorizing EU Policy-Making'. p. 26

[156] White, *Understanding European Foreign Policy* . p. 23

predict their outcomes.[157] Hence, it is almost impossible to find a single theory that deals with human interactions and has absolute power to answer accurately all questions that revolve around the policies and behaviours of a single actor.[158]

Alternatively, scholars seek to employ multi-theories to derive a research framework for understanding some of an actor's tendencies, and use these theories collectively to investigate all relevant aspects and dimensions. Hence, theorizing about an actor's policies requires a deep scrutiny of these empirical policies in order to deduce an appropriate framework based on diverse theories concerning international relations (IR) and foreign policy.[159] According to Brain White, in the case of EU foreign policy "a variety of different approaches can be justified and should be welcomed".[160] Consequently, talking about foreign policy towards Hamas, an ideologically and politically constructed movement,[161] makes it imperative to use such a diversity of theories if all the dimensions of European policy towards the movement are to be understood. Therefore, due to the overlap between ideology and politics in the structure of the two actors, Hamas and the EU,[162] multi- approaches are activated to provide a convincing interpretation of the main research question [why].

In addition, given the relative newness of the EU compared with long-established empires like the United States, Russia and China, political and social theories which have been used in analysing the EU as a collective entity are still debated among scholars.[163] Most of whom, interestingly agree that "both the classical IR theories and social constructivism, in particular, have had a non-negligible impact on the way foreign policy has been and is understood and interpreted."[164] Indeed, constructivism which has been developed in international relations since the 1980s[165] has achieved many points amongst other theories and approaches used to analyze EU foreign policy decision making (FPDM) towards several areas in the world. This approach has been promulgated by several scholars (e.g., Alexander Wendt, Friedrich

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[157] Jill G. Morawski, 'The Dynamics of Uncertainty', *History and Theory,* 40/3 (2001), 401-18.

[158] For more details see; Smith, Hadfield, and Dunne (eds.), *Foreign Policy; Theories Actors Cases*. p. 3-8

[159] For more details about how this could be done, see :Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 328-338

[160] White, *Understanding European Foreign Policy*. p. 23

[161] See; Andrea Nisse, *Muslim Palestine: The Ideology of Hamas* (London: Taylor &Francis e- Library, 2005).

[162] See how the EU identity has religiously been being affected over time; Hettne and Soderbaum, 'Civilian Power or Soft Imperialism? The EU as a Global and the Role of Interregionalism'. p. 536

[163] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p.330-333

[164] Keukeleire and Schunz, 'Foreign Policy, Globalization and Global Governance - the European Union's Structural Foreign Policy'. p. 5

[165] For more on the development of constructivism theory see; Alder, 'Constructivism and International Relations '. p. 95-111.

Kratochwil and Nicholas Onuf)[166] who have pushed forward its rationale to produce one of the most reliable methodologies among the EU foreign policy theories. Although it seems ideational compared to neorealist materialism,[167] it can propose significant interpretations of many realities hidden behind seemingly contradictory policies. As Emanuel Alder notes, constructivism "is a metaphysical stance about [the] reality that scholars seek to know and about the knowledge with which they seek to interpret reality."[168]

Interestingly, constructivism has not worked solely in the foreign policy field, which still needs further analytical scrutiny and exploration. In such investigations,

> Scholars have employed a range of methods to capture the precise pathways of influence through which different ideas, norms, and identities condition actors' conceptions of self and interest, their decision-making procedures and causal beliefs, and their resulting strategies and actions.[169]

Thus, even if constructivism is the dominant approach within the EU community at this time, some aspects of neorealism also remain to interpret and explain what constructivism has been unable to address in an actor's policies. Even though it appears to be known that these theories conflict with each other, some of their aspects are complementary rather than being contradictory. According to Jackson and Sorensen, the debate around the differences between constructivism and neorealism has confirmed that the gap is much smaller: "neorealists do recognize the importance of ideas while constructivists do recognize the importance of material factors",[170] which are the basic axes in both theories. Indeed, combining these conceptual focal points will be noticeable in this order, depending in particular on the angle from which the researcher views the EU's dynamics towards Hamas.

In such discussions, an agent-structure approach might be considered a basic tool for illuminating the constructivist-neorealist argument, and by which a better understanding of the relationship between the EU and Hamas could be accomplished. Basically, understanding the role of the two extremes in such a model is crucial in diagnosing the constructivist rationale in this analysis and, in the same vein, detecting the parameters of neorealism employed. Furthermore, because neorealism and constructivism consider that 'the state' is the main unit of analysis around which international relations revolve, and since the EU and

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[166] Ibid. p. 99

[167] See; Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*.

[168] Alder, 'Constructivism and International Relations '. p. 96

[169] Andrew Bradley Phillips, 'Constructivism', in Martin Griffiths (ed.), *International Relations Theory for the Twenty-First Century* (London and New York: Routledge, 2007). p. 66

[170] Robert Jackson and George Sorensen, *Introduction to International Relations; Theories and Approaches* (3 edn.; New York: OUP, 2007). p. 176

Hamas alike are non-state actors, scrutinizing an agent-structure approach becomes indispensable in terms of its competency in justifying the rationality of using these theories in this particular area of research. Hence, in light of such theories, the actorness of the EU as a debatable issue among theorists will be conceptually theorized in a way that will clarify the extent to which FPA is an appropriate method for analysing the EUFP towards Hamas. Thus, this approach will be concisely examined in pursuit of an obvious analysis of such a policy towards such a movement in such an area.

The Agent-Structure Approach and Constructivist-Neorealist Debate

Alongside, by using aspects of both constructivism as a socio-political theory and neorealism in the analysis, the Agent-Structure approach, as one of the applicable tools in the analysis of the EU's foreign policy towards Hamas, is utilised to accurately describe interactivity within the public sphere. In fact, the Agent-Structure approach is borrowed from sociology, having been proposed by Anthony Giddens in 1984 as a way of analysing the critical relationship between structures and actors in the social world.[171] Although this approach to what is considered as "the most important question in social sciences",[172] is debatable amongst theorists and many disputes have been raised over "the nature of international reality; whether what exists in IR, and the explanation of it, should revolve around actors, structures, or both",[173] the constructivist's explanatory framework will be partially adopted for the purpose of this research, while some of the illustrative neorealist rationale will also be enlightening in relation to the interplay between both approaches in the EU realm and the reality of its policy towards Hamas. Contrary to neorealism which believes that structures are given, and actors are not capable of altering them or changing their realities,[174] constructivism believes in the abilities of the two bodies to affect each other in a continuous mutual process out of which interests and identities are constituted.[175]

Based on these debates, the researcher adopts specific definitions for the conceptions of both structure and agency/actor. However, he will make use of Jackson's and Sorensen's contribution who define structure as, "the rules and conditions that guide social action".[176] In

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[171] Ibid. p.162

[172] Stuart McAnulla, 'Structure and Agency', in David Marsh and Gerry Stoker (eds.), *Theory and Methods in Political Science* (2 edn., Political Analysis; New York: Palgrave, 2002). p. 271

[173] Alder, 'Constructivism and International Relations '. p.104

[174] Kenneth Waltz, *Theory of International Politics* (Waveland Press, Incorporated, 2010). p.74

[175] Alder, 'Constructivism and International Relations '. p.105

[176] Jackson and Sorensen, *Introduction to International Relations; Theories and Approaches*.p.162

other words 'structure', or what some scholars also call 'societal milieu' or 'societal context', is made up of rules, behaviours, moral aspects, religion, history, interests, geography, economics and political institutions and power.[177] These structural elements, or societal characteristics, represent the specifics of actors which collectively build the structure of the state in which actors usually (give and take) mutually as has been illustrated by constructivists and even 'critical realists'.[178] However, the material conditions which define the range of actions available to actors form the context, as implied by the term 'structure'. Therefore, differences in these contexts lead, indeed, directly to differences in national behaviour or policies.[179]

On the other hand, 'agency' or 'actor', as used in this research, refers to "individual or group abilities (international or otherwise) to affect their environment".[180] In fact, the 'actorness' concept of the EU was adopted by analysts and scholars having been coined by Gunnar Sjöstedt and further developed by Bretherton and Vogler. The latter two have identified five requirements for actorness compatible with the status of the EU; shared values and principles alongside formulated coherent policies, as well as negotiating abilities with others in the international system in conjunction with utilizing policy instruments and having domestic legitimacy.[181]

Accordingly, the analytical used method in this study considers an actor-like-state approach which is based on the fact that the EU is not a state, since to be considered a state means having first to address many requirements; nor is it a normal international organization like any other in the world due to its unique structure and mechanisms of functioning.[182] Other approaches have been similarly underlined, such as the non-state actor approach of Steve Smith et al., who concentrate on the actorness rather than the state in international relations (IR). Both approaches emphasize the same thing; namely "it is perfectly possible to speak of companies, regional governments, and non-state actors having foreign policy",[183] which essentially encompasses Hamas and the EU alike. Indeed, this matter has solved a lot of

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[177] Smith, Hadfield, and Dunne (eds.), *Foreign Policy; Theories Actors Cases*. p.16
[178] Colin Hay, *Political Analysis: A Critical Introduction* eds B.Guy Peters, Jon Pierre, and Gerry Stoker (Political Analysis New York Palgrave, 2002). p.206
[179] Smith, Hadfield, and Dunne (eds.), *Foreign Policy; Theories Actors Cases*. p.22
[180] McAnulla, 'Structure and Agency'. p.271
[181] Hettne and Soderbaum, 'Civilian Power or Soft Imperialism? The EU as a Global and the Role of Interregionalism', p. 537
[182] White, *Understanding European Foreign Policy* . p.20,29
[183] Smith, Steve, Hadfield, Amelia, and Dunne, Tim (eds.) (2008), *Foreign Policy; Theories Actors Cases* (New York: Oxford University Press). p. 3

problematic considerations regarding foreign policy analysis (FPA) and has enabled researchers to freely consider the effectiveness of the actor rather than whether it is a state or a non-state.[184]

According to Nicholas Onuf, a constructivist scholar, the meanings of agency/actor, structure and rule, which constitute the tools of analysis as a basis for understanding social life that leads to policy actions, are interactively constructed and thereby linked

> A rule...is a statement that tells people *what* [they] *should* do…Rules provide guidance for human behaviour and thereby make shared meaning possible. Moreover, they create the possibility of agency… people, as well as social constructs such as states, become agents in society only through rules. At the same time, rules provide agents with choices, most fundamentally with the choice of following or breaking them. Agents have goals in mind and they do the best they can to achieve their goals with the means that nature and society ... make available to them. Agents act within an institutional context, that is, within the context of stable patterns of rules and related practices, but at the same time they act on this context. Thereby, they collectively change it but not according to their own choosing. Actions often have unintended consequences. Rules, institutions and unintended consequences form stable patterns called structures.[185]

These variables alongside others, such as norms, which interactions with others are coordinated by them as rules representing "standards of behaviour defined in terms of rights and obligations"[186], in addition to "value-based expectations about appropriate behaviours, are the independent variables of the constructivist foreign policy theory." As such, and contrary to the neorealism that is built on consequentiality, constructivism is based on appropriateness.[187] Consequently, structures of states are considered as a socio-political environment within which actors affect and are affected in a mutual process of interaction. This operation of mutuality is a movable process and is subject to changes in any direction through persuasion and arguing between actors;[188] a process "by which agent actions become

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[184] Smith, Hadfield, and Dunne (eds.), *Foreign Policy; Theories Actors Cases*.p.2

[185] Maja Zehfuss, *Constructivism in International Relations the Politics of Reality* (Cambridge: Cambridge University Press, 2002).p.20. Similar meanings have been asserted in: Pollack, 'Theorizing EU Policy-Making'. p. 24

[186] Andrew P. Cortell and James W. Davis, Jr., 'How Do International Institutions Matter? The Domestic Impact of International Rules and Norms', *International Studies Quarterly,* 40/4 (1996), 451-78.

[187] Henning Boekle, Volker Rittberger, and Wolfgang Wagner, *Norms and Foreign Policy: Constructivist Foreign Policy Theory* (Center for International Relations/Peace and Conflict Studies, University of Tübingen, 1999).

[188] Keukeleire and Schunz, 'Foreign Policy, Globalization and Global Governance - the European Union's Structural Foreign Policy'. p. 5

social structure, ideas become norms, and the subjective becomes intersubjective."[189] Hence, a state structure constituted of diverse components determines the perception[190] of actors upon the aforementioned process which could lead the relationship between actors who are equipped with different structural backgrounds towards a specific kind of relation. This relation might be driven conflictually or cooperatively based on developments which this process of interaction has undergone.[191]

On the other hand, the rational debate over this controversial approach should not be undermined. According to those from neorealism and neoliberalism (rational schools), structures are the only players in the international relations field not actors. From this perspective, preferences of the latter could be only determined from these structures while actors have nothing to do in terms of pursuing dictated preferences.[192] Therefore, an actor's margin is so limited that "in any particular situation there is only one rational course of action consistent with a specific preference set", meaning that the actor will behave in a manner determined in any given situation.[193] In other words, the actor, in this respect, seems to be "a prisoner of its environment" which, if applicable, should select the sole realistic preference in any given circumstances.[194] This rational-choice approach is deemed to be convincing in the case of the EU, in view of its policy towards Hamas. Interestingly, the EU's seemingly fixed and constant interest in boycotting Hamas on behalf of Israel and the US could be illuminated by this debate. In fact, what makes this rationale sound accurate is the EU's attitude against other Palestinian factions over time, especially those that, on the one hand, have shown violent resistance against Israel,[195] and on the other, those that might be seen by the EU as potential threats to its ME interests, such as radical Islamists.

Thus, rational argument over the agent-structure debate should be kept alongside the constructivism dispute. Interestingly, in the present study, these variables are widely

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[189] Rodger A Payne, 'Persuasion, Frames and Norm Construction', *European Journal of International Relations,* 7/1 (2001), 37-61. p.38 see also, Alexander Wendt, 'Constructing International Politics', *International security,* 20/1 (1995), 71-81.

[190] Perception linguistically means: the way in which something is regarded, understood, or interpreted. See <http://oxforddictionaries.com/definition/perception>

[191] Wendt, 'Constructing International Politics', p. 81
[192] Waltz, *Theory of International Politics*. p. 74
[193] Hay, *Political Analysis: A Critical Introduction* . p. 103-104
[194] Ibid. p. 103-104
[195] David Allen and Alfred Pijpers (eds.), *European Foreign Policy-Making and the Arab-Israeli Conflict* (The Hague: Martinus Nijhoff Publishers 1984). p. 38,50, 54

intertwined and should not be underestimated. While some of the rational logic might be perceived as convincing, certain constructivist features might also be considered. In light of constructivism and neorealism, such an approach enables the researcher to investigate those determinants of the EU's policy towards Hamas; and whether they are positioned in the EU's structure or situated in the EU's actorness and around it. Owing to the importance of the debate highlighted by Andrew Phillips, differentiating between neorealist-constructivist logics in this area of discussion will be underscored, since,

> Rationalists and constructivists diverge in their conceptions of the dominant logics governing agents' actions. Behaviour through constructivist eyes is seen as essentially norm-driven, with states seeking to ensure a correspondence between their own conduct and internalized prescriptions for legitimate behaviour that states have derived from their identities...this position contrasts with rationalists' belief that agents' behaviour is governed not by a logic of appropriateness but merely by a logic of consequences. States through this optic are conceived as rational egoists pursuing interests formed exogenously to social interaction in a rationally instrumental manner, with cooperation or conflict being determined not by the presence or absence of norms but rather by a combination of resource constraints (owing to states' finite capabilities) and the congruity, or lack thereof, that states perceive between their own interests and those of other states.[196]

Hence, this approach makes it possible to determine passive and active groups of actors in such political action-games as well as the ways in which this action has flowed. Eventually, it becomes obvious that it has eliminated the ambiguity around the nature of the EU and Hamas, and whether the approaches and theories utilized are suited to viewing these actors freely as a subject of analysis.

Beyond this debate, aspects from constructivism as a theoretical analytical tool in conjunction with major indicators of neorealism theory will be concisely highlighted as applicable. However, the researcher will not deeply plunge onto these philosophies in terms of their major or minor debates and controversial arguments within or around them, as it is not his area of concern. Rather, he considers main streams within these tools of analysis on which he relies while trying to explore the pathways of influence through which assumed theoretical parameters might affect the EUFP towards Hamas. Hence, the researcher will discuss these hypothetical aspects of theories only when they are relevant.

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[196] Phillips, 'Constructivism'. p. 63

Constructivism and the Functionality of Perceptions in Foreign Policy

Building on what has already been mentioned about constructivism, the constructivist rationale as developed by Wendt, clearly depends on intersubjective interaction within the public sphere. As Jackson and Sorensen note, "global politics is said to be guided by the intersubjectively shared ideas, norms, values and knowledge held by actors." These shared issues emphasize "the social aspect of human existence – the role of shared ideas as an ideational structure constraining and shaping behaviour."[197] This interaction between actors may in practice lead either to friendship or hostility, depending on the perception of the relationship generated in the international milieu, and indeed such a possibility can be understood in light of the production process of such relationship.

According to constructivist theorists, the reality constructed through the above-mentioned process acquires its characteristics and is thereby drafted through human actions and ideational behaviours which constitute the basics of political trends.[198] "Human relations, including international relations, consist of thoughts and ideas and not essentially of material conditions or forces. This is the philosophically idealist element of constructivism which contrasts with the materialist philosophy",[199] as adopted by neorealism. Hence, aspects of the constructivist argument are applied in this study when discussing the ideational basis of the divergence between the EU and Hamas. Significantly, understanding actions followed by the EU in this regard should be essentially anticipated by exploring explanations and meanings given to certain motives behind such actions in accordance with the constructivist rationale.[200]

Interestingly, the question of whether or not the decision-maker's perception matters in this case, has become an illuminating feature. According to Robert Jervis

> Logic permits us to distinguish between the psychological milieu (the world as the actor sees it) and the operational milieu (the world in which policy will be carried out) and to argue that policies and decisions must be mediated by statesmen's goals, calculations, and perceptions.[201]

Indeed, it is very important to scrutinize the way in which decision-makers perceive the 'other' and the images they hold about him. In addition to further variables, the psychological

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[197] Jackson and Sorensen, *Introduction to International Relations; Theories and Approaches*. p. 162
[198] See Wendt, 'Constructing International Politics',
[199] Jackson and Sorensen, *Introduction to International Relations; Theories and Approaches*. p. 162
[200] Alder, 'Constructivism and International Relations '. p. 97
[201] Jervis, *Perception and Misperception in International Politics*. p. 13

milieu of an actor can be also considered a decisive factor in the policy pursued towards the 'other'. In Jervis's view "it is often impossible to explain crucial decisions and policies without reference to the decision-makers' beliefs about the world and their images of others".[202] Substantially, having known one's perception of the other could be a significant indicator of the nature of the relationship between them and whether it is based on hostility or friendship. To put it in another way, having diagnosed this factor, scholars might say "if that is the way the statesman saw the situation, it is no wonder that he acted as he did."[203] In reality, this logic may fundamentally illustrate the significance of understanding how the EU perceives Hamas, or even its adversary Israel, and how far the EU's policy towards the former might be applied.

Furthermore, merely being enemies or friends in the international sphere does not assure one specific theory rather than another, as some people might imagine. The reality is linked to meanings which are typically given to a particular behaviour. As Copeland remarks, "conflict does not confirm realism, just as cooperation does not confirm liberalism or constructivism. Indeed, it all depends on the degree of internalization—*why* the actors acted in a conflictual or cooperative fashion, *why* they treated each other as enemies, rivals, or friends."[204] According to Wendt, "if states fall into such conflicts, it is a result of their own social practices, which reproduce egoistic and militaristic mind-sets."[205] In his view, broadly speaking, international politics is not determined by material issues as much as it is socially constructed by states perceptions of each other as enemies, rivals or friends.[206] In other words, the reality that illuminates [why's] questions backs the state's foreign policy choice and accordingly enables constructivist scholars to interpret either hostility or friendship.

Thus, in light of the aforementioned logic, the EU's international system, which has imposed sanctions on the Hamas movement while, at the same time, having another agenda in terms of its views on both (Islamization and terror) in the ME, has constructed these stances on the basis of meanings given to Hamas's actions and socio-political behaviours in the international realm. Therefore, stigmatizing an organization as being terrorist or not stems in this case,

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[202] Ibid. p. 28
[203] Ibid. p. 14
[204] Dale C. Copeland, 'The Constructivist Challenge to Structural Realism', in Stefano Guzzini and Anne Leander (eds.), *Constructivism and International Relations, Alexander Wendt and His Critics* (London: Routledge, 2006).p. 7
[205] Cited in, Ibid. p. 9
[206] Cited in, Stefano Guzzini and Anne Leander (eds.), *Constructivism and International Relations; Alexander Wendt and His Critics* (London: Routledge, 2006). p. 95

from the definition of terrorism which actors adopt, since, with regard to the Arab-Israeli conflict in particular, what the EU, US and Israel regard as terrorism is essentially not the same according to Hamas, Palestinians and Arabs. Fitzalan Gorman notes that terrorism has an "ever-changing definition"; different meanings of behaviours and their changing effects on people around the world could be obviously noticed but have no specifically agreed characteristics in the international community. Hence, "the phrase, 'One man's terrorist is another man's freedom fighter' explains this discrepancy."[207] As noted by Jackson and Sorensen,

> The international system is not something 'out there' like the solar system. It does not exist on its own. It exists only as an intersubjective awareness among people; in that sense the system is constituted by *ideas*, not by material forces. It is a human invention or creation not of a physical or material kind but of a purely intellectual and ideational kind. It is a set of ideas, a body of thought, a system of norms, which has been arranged by certain people at a particular time and place. If the thoughts and ideas that enter into the existence of international relations change, then the system itself will change as well.[208]

However, categorizing Hamas as a terrorist organization implies that it is an enemy of the EU, a matter which could not be compromised by the latter. Given that "friendship and enmity provide the foundational structure of allegiance, of solidarity, that underpin the capacity for effective decision",[209] the EU's position towards Hamas and its democratically-elected government could be understood in this frame; thus the clash is mostly between meanings that are given to actions and this could not be only referred to given constant societal structures apart from actors effects as neorealism might suggest, but to mutual interaction between both actors and structures.

Dialectical Relationship between Identities and Actions the State of Israel at the Centre

According to constructivism, another significant tool steering or interpreting foreign policy, alongside perception and mutually affected by it, is the identity of actors. In fact, "collective identity of the Union is an important aspect of the EU's presence, which shapes perceptions

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[207] Fitzalan Crowe Gorman, 'Non-State Actors, Terrorism and the United Nations: A Critical Analysis through Three Case Studies Examining the United Nations' Effectiveness in Addressing the Threat Imposed by Violent Non-State Actors ', unpubished Master's degree thesis (Virginia Polytechnic Institute and State University,USA, 2009). p. 13

[208] Jackson and Sorensen, *Introduction to International Relations; Theories and Approaches*. p. 162

[209] Michael C. Williams, 'Words, Images, Enemies: Securitization and International Politics', *International Studies Quarterly,* 47/4 (2003), 511-31. p. 517

of and behaviours towards 'outsiders'."[210] According to Wendt, even though the frame of the state is retained by constructivist approaches to EU foreign policy; it is recast at the European level and theorized in terms of identities rather than interests.[211] Indeed, how the EU reads Hamas is vital for understanding the denominating determinants of the EU's policy, whereas how the EU defines itself is also essential. When these two actors speak about awareness of 'ego' and the 'other' it is undoubtedly very relevant to this study in discussing those who stand at opposite poles in terms of the relationship with Israel, the main issue about which they differ. In a nutshell, understandings of self and others in this case are simply about distinguishing ideas which mainly define social groups, and individually or collectively constitute "states of mind which are all-pervasive in social life".[212] Thus, evoking collective identities based on these facts is indispensable in attempting to understand an actor's policies.

Fundamentally, 'identity' in this respect means what K. Smith defines as "images of individuality and distinctiveness ('self-hood') held and projected by an actor and formed – and modified over time – through relations with significant 'others'."[213] Therefore, it lies "at the core of national and transnational interests, and it is so crucial for an understanding of international behaviour, practices, institutions and change".[214] According to Alder, in times either of international cooperation or of conflict and war, the identity of actors is an essential tool for understanding political relationships and trends amongst them.[215] Interestingly, this school of thought suggests that identity is also subject to change through the same process of interactivity, and is considered a major determinant of foreign policy pursued among actors involved in politics.[216]

Furthermore, the identities of actors that play such a role in FPDM are typically "governed by the normative and ideological structures that they inhabit"[217] and, at the same time, are structured and produced through social interactive operation. That is to say, the process of 'give and take' between actors plays a distinguishing role in building a collective identity and

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[210] Charlotte Bretherton and John Vogler, *The European Union as a Global Actor* (London and New York: Routledge, 2002). p. 223

[211] Chris J. Bickerton, 'Towards a Social Theory of EU Foreign and Security Policy', *JCMS: Journal of Common Market Studies,* 49/1 (2011), 171-90.

[212] Risse Thomas and Wiener Antje, "Something Rotten' and the Social Construction of Social Constructivism: A Comment on Comments', *Journal of European Public Policy,* 6/5 (1999), 775-82.

[213] Eugen Georg Wiessala, 'The Politics of Re-Orientation and Responsibility: European Union Foreign Policy and Human Rights Promotion in Asian Countries', PhD Thesis (University of Central Lancashire Preston, 2005). p.4

[214] Alder, 'Constructivism and International Relations '. p. 104

[215] Ibid. p. 104

[216] See; Phillips, 'Constructivism'. p. 63

[217] Ibid. p. 63

thus particular preferences; at the same time, however, some aspects of identity, or what Wendt calls "corporate identity",[218] are typically solid to the extent that this interactivity does not affect the core on which the actor's individuality is constituted. Therefore, based on these core issues, or what Wendt calls "baselines within identities", which have been built historically, socially, and geo–strategically, the collective social identity is constructed and fuelled.[219] Copeland maintains that, "unlike rationalist theories such as neorealism and neoliberalism, which hold interest and identities constant, constructivism considers how ideational structures shape the very way actors define themselves – who they are, their goals, and the roles they believe they should play."[220]

The relevance of the identity debate in this study stems from the necessity of shedding light on the motivations of the EU's policy towards Hamas and similar entities. From the constructivist perspective, the most obvious failure has been the failure of constructing a common area through interaction between the two identities; a matter which indicates the loss of the capability of building collective understandings which might have enabled the EU and Hamas to establish a normal relationship. However, the identity of the EU, as an outcome of the interactivity between structures over long centuries, has crystallized into a collective 27 member states-identity, and, according to Heather Field, is considered a foregone conclusion.[221] Confirming this matter, Helen Sjursen asserts that even the enlargement process within Europe itself "was driven by a common pan-European identity not only by the norms of a liberal-democratic international community".[222] Significantly, rather than being built solely on economic interests, this identity is also based on geo-political, religious, historical and ideological factors and norms within which the Israeli state was found occupying a place. Thus, due to such socio-political ties[223] the Israeli state, mainly as a Western colonial strategic project in the ME, can be considered as belonging to the same

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[218] Christian Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations* (Princeton: Princeton University Press, 1999). p. 166

[219] Copeland, 'The Constructivist Challenge to Structural Realism'. P 9 and, Reus-Smit, *The Moral Purpose of the State: Culture, Social Identity, and Institutional Rationality in International Relations*. p. 166

[220] Copeland, 'The Constructivist Challenge to Structural Realism'. p. 4 , for further information, see; Phillips, 'Constructivism'. p. 63

[221] Heather Field, 'EU Cultural Policy and the Creation of a Common European Identity', *EUSA-NZ conference: The EU in the Next Millenium* (Christchurch Arts Centre,Christchurch New Zealand, 1998). p. 249

[222] Bickerton, 'Towards a Social Theory of EU Foreign and Security Policy', p. 172

[223] See; Angela Merkel, 'Speech by Federal Chancellor Angela Merkel to the Knesset in Jerusalem ', (Jerusalem: Israeli Knesset, 18 March 2008). Also Aleksander Kwasniewski, 'Speech by Aleksander Kwasniewski, President of the Republic of Poland to the Knesset', (Jerusalem: Israeli Knesset, 29 May 2000).

collective identity that is based on Judeo-Christian culture and thereby Western civilization.[224]

In fact, since "identity is essentially about belongings"[225] the existence of the Israeli state as one of those within the Western legacy has been a decisive factor in the policy pursued by the Western countries, including the EU's policies towards those which might threaten such identity belonging in the ME. Having internalized this affecting factor in the European collective awareness as "the noblest example of democracy and freedom in the ME, an exemplar that has its roots deep in the Bible and in the Zionist ideal",[226] illustrates the extent to which shared values and norms between the EU and Israel are considered valuable in building such a Western identity. In Lord Plumb's words, these "strong spiritual, cultural and democratic links"[227] have given the relationship between these actors its uniqueness and distinctiveness.

Even though the aforementioned Judeo-Christian culture has been one of the main pillars of Western identity over centuries, its effect has not been as salient and tangible as it has been since the demise of the communist system.[228] In fact, it is believed that "critical junctures such as the crumbling of long-time stable social structures are...likely to cause profound changes in the perception of identity and interests".[229] After the disintegration of the cultural structures of the old international system during the two world wars, and the subsequent collapse of the communist threat by the end of the 1980s, there were profound and significant changes involved in reconstructing Western identity with regard to Israel and the Jewish people. As Mariano Barbato argues, the notion of the West itself has recently witnessed a significant transformation "from the Cold War political community of the Free World, to the culturalist-religious post-89 notion of a Judeo-Christian West."[230] Hence, in this ideational-ideological context, Israel's status has been strikingly fostered. Defending this Jewish state from being harshly penalized by international society for its behaviour in Palestine, or from

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[224] John Rogin, 'Former Spanish Prime Minister Josã© Maria Aznar Launches Pro-Israel Initiative', (2011: The Cable, September 15th 2010).

[225] Bretherton and Vogler, *The European Union as a Global Actor* . p. 223

[226] Silvio Berlusconi, 'Speech by the Prime Minister of Italy Silvio Berlusconi to the Knesset ', (Jerusalem: Israeli Knesset, February 3, 2010).

[227] Lord Plumb, 'Speech in the Knesset by the President of the European Parliament Lord Plumb of Coleshill ', (Jerusalem: Israeli Knesset, 10 January 1989).

[228] Rahbani, 'Comment on the Paper "the Backgrounds of the European Foreign Policy Towards the Palestinian Issue'.

[229] Thomas and Antje, "Something Rotten' and the Social Construction of Social Constructivism: A Comment on Comments'. p. 780

[230] Mariano Barbato, 'Postsecular Revolution: Religion after the End of History', *The Postsecular in International Politics* (University of Sussex, 2011).

being seriously threatened by other ME actors like Hamas, Hezbollah and Iran, is one of the EU's duties just as much as it is the duty of the US.[231] This matter ensured Israel's significance in the Western mind, especially after the events of 11 September 2001; these attacks which injected the conflict between the West and Islamists in the ME with large doses of ideology, in the face of Hamas that represents a liberation organisation dependent on violent means and fostered by a contradictory background ideology with its counterpart of the West.[232]

Generally speaking, protecting Israel and securing its status in the ME as a fundamental European commitment is regarded, in one way or another, as defending the Western Judeo-Christian heritage[233] and thereby Western civilization which represents the core of the European identity[234] that as Maria Aznar claimed, must be defended.[235] In addition to the historical circumstances related to the Holocaust[236] and the Jewish genocide in Europe in the 1930s and 1940s, as it is discussed in this study, contemporary Europe has inherited the Israeli state as an existent reality, that has represented a geo-political European interest in the ME since its establishment at the hands of the Europeans' ancestors in 1948.[237] It was this blend of factors within Western European civilization[238] that caused the building of a strong relationship with Israel.

However, this relationship has brought the EU face to face with those whose violent resistance against Israel constitutes the core of their identity, and who, at the same time, define themselves as resisters with an Islamic background against the non-legitimate Israeli occupation. Hence, under the definition of 'ego' and 'the other'[239] the EU has sided itself

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[231] See; Nicolas Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset ', (Jerusalem: Israeli Knesset, 23 June 2008). Also, Gordon Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, ' (Jerusalem: Israeli Knesset July 21, 2008).

[232] Gresh, 'The Backgrounds of the European Foreign Policy Towards the Palestinian Issue'. And Leila Nicolas Rahbani, 'Comment on the Paper "the Backgrounds of the European Foreign Policy Towards the Palestinian Issue', Ibid.

[233] See Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '. Also see Hans-Gert Pöttering, 'Speech by the President of the European Parliament Hans-Gert Pöttering to the Knesset', (Jerusalem: Israeli Knesset, 30 May 2007), Berlusconi, 'Speech by the Prime Minister of Italy Silvio Berlusconi to the Knesset '.

[234] EC, 'Declaration on European Identity', in Foreign Ministers Council (ed.), (Copenhagen, 14 December 1973).

[235] Rogin, 'Former Spanish Prime Minister Josã© Maria Aznar Launches Pro-Israel Initiative'.

[236] See; Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.

[237] Allen and Pijpers (eds.), *European Foreign Policy-Making and the Arab-Israeli Conflict* . p.243

[238] To know more about the dynamics of civilizations and their effects amongst nations see: Johann P. Arnason, *Civilizations in Dispute: Historical Questions and Theoretical Traditions* (Leiden,The Netherlands: Koninklijke Brill NV 2003).

[239] The 'other' is "anyone who is separate from one's self " as noted by Bill Ashcroft, Gareth Griffiths, and

with one party, Israel, against the other, which holds the opposite point of view towards this state. For all that, the slow process of interactivity between the EU and Hamas over the years has in fact failed in producing a peaceful rather than a contradictory structure within which they can act accordingly. In other words, the contradiction between the two identities, which is highlighted here through the use of constructivist-neorealist mechanisms, has generated a cautious mutual interaction between the agents which led the EU to deal with Hamas as a terrorist organisation lacking political reliability.[240] This meant that there were no further communications with Hamas under these particular circumstances.

Conceptually and theoretically, as Hegel states, contradiction in such socio-political relationships "is at the root of logic and reality alike".[241] This, indeed, was later confirmed by Marx who viewed contradiction and negativity as factors which "remain driving forces of change".[242] As the term suggests, when two realities fall equally into a contradictory context, especially if it is an existential violent contradiction, it will not be surprising if one or both might choose to behave aggressively towards the other. According to Anthony Giddens "the teleology of contradiction between structures is that of functional need; the need of the structure or system, unacknowledged by social actors themselves."[243] In practical rather than theoretical terms, the Israeli state, as an important identity-based element among those of the EU, is not only unrecognized by Hamas but has also been violently confronted by the latter in a way that, from the EU's point of view, has threatened its stability in the short term and might affect its existence in the long one.[244] Thus, given that identities which, as constructivism asserts, are produced and reproduced in structures within which, according to Godelier, this contradiction typically occurs, [245] the EU's policy towards Hamas seems to be built upon this fact of rooted negativity between the identities involved.

In this frame, the confrontation with Hamas, even after its triumph in the 2006 elections, is attributed in this study to the reality of Hamas as a violent existential contradiction to the Israeli state that has been fighting Palestinians over the same land of Palestine. Indeed, the

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Helen Tiffin (eds.), *Key Concepts in Post-Colonial Studies* (London & New York: Routledge, 2001). p.169

[240] Council of the European Union, 'Notices from European Union Institutions, Bodies, Offices and Agencies', in Council of the European Union (ed.), (C 161/2; Brussel: Official Journal of the European Union, 2011).

[241] Anthony Giddens, *Central Problems in Social Theory: Action, Structure, and Contradiction in Social Analysis* (California: University of California Press, 1979). p.132

[242] Ibid. p.140

[243] Ibid. p.139

[244] See; Laszlo Solyom, 'Speech by President of the Republic of Hungary Laszlo Solyom to the Plenary Session of the Knesset', (Jerusalem: Israeli Knesset, 18 March 2008). Also see, Merkel, 'Speech by Federal Chancellor Angela Merkel to the Knesset in Jerusalem '.

[245] Giddens, *Central Problems in Social Theory: Action, Structure, and Contradiction in Social Analysis*. p. 139

significance of constructivism in this context is represented in its solid logic, which offers appropriate analytical tools and assures the changeable status of these produced and reproduced identities in the Western structure itself. This structure, in Copeland's opinion, typically leads actors, in a dialectic process, to redefine their identities and interests within this process of interaction;[246] a matter that does not necessarily accept the inevitability of conflict or war to the death for the sake of proclaimed fixed structured. Hettne and Söderbaum offer an appropriate description of the European identity-building mechanism discussed above;

> External policies towards the outside world are closely related to the endogenous process of increasing cohesiveness and identity. There is thus a dynamic relationship between internal coherence and external impact. Identity is often shaped through a negative, socially constructed image of the [O]ther. In the European case this role has historically been given to Islam, first through the Arabs, then through the Ottoman Empire. This has shaped the Christian element in European identity leading to a tension between, on the one hand, an essentialist and static and, on the other, a more inclusive and dynamic understanding of European identity.[247]

Indeed, such tension caused the European confusion that accompanied the EU when it rejected Hamas's electoral success in 2006, and has contributed, with others, through the Middle East Quartet (MEQ) in the siege imposed over the Gaza Strip.

The tension is between modern dynamic Europe which highlights its normative objectives, and the other culturalist-religious and imperialist Europe which cannot stand apart, or even remain neutral, when the matter concerns the security of one of its significant belongings, i.e., Israel.[248] The EU's hesitant position in banning Hamas between 1993 and 2003 can be interpreted according to constructivism theory, which sees that, "actors confronting a given situation do not consult a fixed set of preferences and calculate their actions in order to maximize their expected utility, but look to socially constructed roles and institutional rules, and ask what sort of behaviour is appropriate in this situation."[249] In the case of Hamas it seems that all attempts by international bodies to contain the movement and to lighten its hostility towards Israel have failed to do so. Thus, the EU, which had made the two-state solution a strategic objective towards solving the conflict in Palestine, decided that there was no longer any chance of restraining Hamas, the existential violent contradiction to the Israeli

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[246] Copeland, 'The Constructivist Challenge to Structural Realism'. p. 4

[247] Hettne and Soderbaum, 'Civilian Power or Soft Imperialism? The EU as a Global and the Role of Interregionalism', p.536

[248] See; Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '. Also Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.

[249] Pollack, 'Theorizing EU Policy-Making'. p. 24

state and the EU's strategies in the ME alike, thereby proving, as traditional models of foreign policy decision making (FPDM) would suggest, that security matters are paramount.[250]

Consequently, the identities of both the EU and Hamas have played a significant role in the EU's policy towards this Palestinian movement and its political outcomes. Although the main factor on which they differ is the Israeli state, it is obvious that any changes in the future will depend on the interaction which might also occur around this factor. Nevertheless, the light at the end of this tunnel could be expected through constructivism theoretical lenses which recognize these differences in identities and suggest areas of meeting in the political space between contradictory actors. According to constructivism theory, since "Structures constitute actors in terms of their interests and identities, while structures are also produced, reproduced, and altered by the discursive practices of agents",[251] this case of rupture between the two agents the EU and Hamas can be appropriately adapted should particular circumstances occur.

This adaptability mechanism, which is justified by constructivists, has the capability of interpreting the new EU communications with the Muslim Brotherhood (MB) that took place following the outbreak of the Arab Spring in December 2010 and the long period during which these moderate Islamists in the ME were politically boycotted; it means the EU and Hamas "can thereby emancipate themselves from dysfunctional situations that are in turn replicating conflictual practices."[252] In other words, having identities produced and reproduced in a continuous process of adaptability and interaction might yield new situations, and thereby preferences within which the relationship between the two actors might change, and consequently, meet in the middle rather than losing contact entirely with the opposite party. From this theoretical point of view, using tools of diplomacy between actors might produce a high level of cooperation,[253] and while this has yet not happened, the possibility exists for the future.

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[250] Mintz and Derouen, *Understanding Foreign Policy Decision Making*. p. 6
[251] Copeland, 'The Constructivist Challenge to Structural Realism'. p. 7
[252] Ibid. p.7
[253] Ibid. p.20

EU's Interests in Light of Neorealism: another Driving Factor

Having said that the identities of actors play a significant role in formulating foreign policy according to constructivism does not mean that the European policy towards Hamas stems solely from normatively-driven ideological-civilizational bases or foundations. In fact, it is also a pragmatic policy, which in essence does not commit to the normative objectives of its announced foreign policy, as much as it is an ideational one.[254] Therefore, European interests are another driving factor of the EU foreign policy towards Hamas. The definition of 'national interests' adopted for the purpose of this study, is that of Alexander Wendt, who defines them as "the self-regarding desire by states for power, security or wealth",[255] a meaning also shared by neorealists. Contrary to the neorealist analysis which considers national interests as exogenously determined and thereby fixed and constant, the constructivism school "argues that interests are context-bound and thus socially constructed through forces such as identity, ideas, normative beliefs and socialization."[256] Despite the fact that the EU's interests are deeply intertwined and diverse in the ME, Israel's survival as a substantial one of these interests is the most relevant to the topic discussed. Therefore, it will be given priority in relation to other European- Middle Eastern interests which will be briefly and separately investigated.

Indeed, the constructivist rationale is no longer workable in terms of considering the EU's interest in keeping the Israeli state secured and safe. While this interest is supposed to be produced and reproduced in a dialectic process within structures, according to constructivism theory, it seems to be a fixed and constant European interest; a matter which is not open to question. Interestingly, from this angle the realist rationale which views interests in this way – i.e., fixed and constant[257] – appears more convincing than underlying constructivist principles. To illustrate, even if constructivism successfully illuminates the identity aspect of the Israeli factor and its relationship with the collective European identity, it fails dramatically to shed light on its having been a fixed and continuing European interest in the ME over a long period without being changed or compromised. Additionally, the constructivist logic, which is based on appropriateness rather than consequentiality, is not utterly sufficient for interpreting the EU's inconsistent discourse that deals with Israel as a

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[254] See the EU Foreign policy objectives in: Smith, *European Union Foreign Policy in a Changing World* p. 5
[255] Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 2003). p. 92
[256] Anders Persson, 'Dilemmas, Paradoxes, Inconsistencies and Double Standards: The EU in International Politics', (APE Paper, 2010).
[257] Copeland, 'The Constructivist Challenge to Structural Realism'. p. 4

constant interest, and prioritizes its security at the expense of its normative commitments or announced soft objectives in the ME.

Alternatively, neorealism might perform this duty through its operating mechanisms which are rationally rather than normatively built.[258] Therefore, it would take this seemingly unchangeable variable into consideration, while being at the same time capable of solving the contradiction in the EU's policy between rational policies adopted towards Hamas on the one hand, and moral normative claims on the other. According to neorealism, actors are used to formulating their foreign policies and shaping their choices based on national interests driven by power,[259] regardless of moral aspects or normative values which might contradict these interests. As Morgenthau states, "realism maintains that universal moral principles cannot be applied to the actions of states."[260] Therefore, according to this rationale, preferences of actors in foreign policy are derived from these abstract factors in IR and policy actions are determined accordingly. Hence, realists believed fully in the British Prime Minister Lord Palmerston's speech to the English Parliament in 1848 when he claimed that "we have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow."[261]

Consequently, the EU's fixed interest in securing and sheltering Israel is another major driving factor of the EU policy in the ME[262] which can be understood and justified by borrowing these aspects of neorealism. However, as a milieu-shaping actor in the world, the EU has attempted to maintain the momentum of the MEPP by using its economic capabilities to depict the political scene in Palestine as a hotbed of tension, according to the Western agenda. Therefore, when security and stability as essential conditions are breached by Hamas, the EU has not hesitated to be firm and crucial with it, while using its abilities to bring the movement into its circle through tough economic and political sanctions.

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[258] Rationalist/Materialist- idealist/ moral debate has been distinguishably highlighted in Wendt, *Social Theory of International Politics*. p. 92-96

[259] Ibid. p. 92

[260] Cited in Jack Donnelly, 'Realism', in Scott Burchill et al. (eds.), *Theories of International Relations* (3 edn.; New York: Palgrave Macmillan, 2005). p. 31

[261] Anonymous, 'Travel through History in the UK :Lord Palmerston', *http://www.infobritain.co.uk/Palmerston.htm*, accessed 6-12-2011 2011.

[262] Allen and Pijpers (eds.), *European Foreign Policy-Making and the Arab-Israeli Conflict* . p. 243

EU's Normativity and the Neorealism logic

According to neorealism, international relations occur in an anarchic, rather than a hierarchic world which lacks a unified coordinating government, contrary to the national level where governments monopolise the use of violence against those who breach laws and regulations or infringe the rights of others. Given the absence of a global government which could exercise the same role as it does on the national level, actors resort to sustaining themselves according to their own capabilities by building a "self-help system",[263] in which each actor, whether or not by force, seeks to maximise its advantages and protect its interests.

In this system, survival of actors is the most worrying aspect; therefore, their behaviours are conditioned to this worrying matter which gives way to pressure on states through socialization, and in turn leads to imitating their peers in the gaining of power, and competition, resulting in the building of alliances.[264] Hence, lack of security and fear of unwanted consequences push states to build a competitive balance of power,[265] which works as a guarantor for their interests against those who might use their own powers to attack or affect the former's status in world. In this sense, "consumers of security",[266] as Waltz called them, or security maximizers as named by others,[267] construct their alliances as a result of compromises between themselves that are intended to counter those who might threaten the security of their common interests and relative gains.[268]

Significantly, these alliances or states are motivated not only by material concerns or relative gains, but "also pursue normative or ideological agenda in response to domestic political factors". However, as most realists believe, the second normative set has never been followed by states at the expense of the formal material set.[269] This fact does not mean, in this regard, that neorealists do not in principle recognize the role of ideas and norms in determining policies; on the contrary, it is obvious that a convergence between constructivism as a norms-

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[263] Waltz, *Theory of International Politics*. p.104

[264] Simon Collard-Wexler, 'Integration under Anarchy: Neorealism and the European Union', *European Journal of International Relations,* 12/3 (2006), 397-432.   And,   Waltz, *Theory of International Politics*. p.105

[265] Waltz, *Theory of International Politics*. P.118

[266] Ibid. p. 70

[267] Kate O'Neill, Jörg Balsiger, and Stacy D Vandeveer, 'Actors, Norms, and Impact: Recent International Cooperation Theory and the Influence of the Agent-Structure Debate', *Annu. Rev. Polit. Sci.,* 7 (2004), 149-75. p.135

[268] Collard-Wexler, 'Integration under Anarchy: Neorealism and the European Union',

[269] Adrian Hyde-Price, 'A 'Tragic Actor'? A Realist Perspective on 'Ethical Power Europe'', *International Affairs,* 84/1 (2008), 29-44.

based approach and neorealism as a material-based school of thought has started to find its way into much of the literature.[270] From the perspective of Alexander Wendt et al, "materialists need not ignore cultural factors altogether. But they treat them as epiphenomenal or at least secondary, as a 'superstructure' determined in the last instance by the material 'base'."[271] Thus, contrary to the constructivist perspective which considers that "material power matters, but within a framework of normative expectations",[272] norms are overburdened by material considerations in IR, according to neorealist materialists. However, in terms of its concern about its common norms, the EU's behaviour with Hamas is interpreted more by neorealists rather than by constructivists as will be illustrated.

As suggested by neorealist scholars, states have "a role in shaping domestic and international security" on behalf of their citizens, in a way that serves, maintains and protects their gains and interests.[273] According to Hyde-Price, all states are interested in building a suitable international environment to serve their security and prosperity, and are therefore accustomed to utilizing their "material power capabilities not only to exert direct influence or control over other actors, but also to shape their external milieu."[274] Accordingly, as deduced by Mark A. Pollack who reviewed the contributions of various realist scholars, neorealism is distinguished by three core assumptions: "states as unitary actors, states as rational utility maximizers and the anarchic nature of the international system forcing states to place primacy on self-help, power, and relative gains."[275] Based on this brief account of neorealism, the EUFP could be understood in three aspects, as identified by Hyde-Price,[276]

1. The EU functions as an instrument for the collective economic interests of those states in the context of the global economy as a traditional purpose of EEC/EC external policy.

2. It serves as an instrument for collectively shaping the regional milieu. This role has grown in response to the structural changes occasioned by the end of Cold War bipolarity.

3. It has come to serve as the institutional repository of the second-order normative concerns of EU member states.

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[270] Albert S. Yee, 'The Causal Effects of Ideas on Policies', *International Organization,* 50/01 (1996), 69-108.
[271] Alexander Wendt, Ronald L. Jepperson, and Peter J. Katzenstein, 'Norms, Identity, and Culture in National Security', in P.J. Katzenstein (ed.), *The Culture of National Security: Norms and Identity in World Politics* (Columbia University Press, 1996). Ch.2.
[272] Ibid. Ch.2.
[273] Andrea Ellner, 'Regional Security in a Global Context: A Critical Appraisal of European Approaches to Security', *European security,* 17/1 (2008), 9-31.
[274] Hyde-Price, 'A 'Tragic Actor'? A Realist Perspective on 'Ethical Power Europe'', p. 31
[275] Pollack, 'Theorizing EU Policy-Making'.
[276] Hyde-Price, 'A 'Tragic Actor'? A Realist Perspective on 'Ethical Power Europe'', p. 31

Hence, if a clash occurred between the EU as a vehicle for common EU interests or as a cooperative milieu-shaping actor and itself as a vehicle for shared normative values, the formal vehicle would win in the end, as evidently and starkly concluded in many international examples in which the EU has found itself between the two choices. In light of this, the EU cannot be considered a normative power due also to the fact that it evidently relies on its material power capabilities and economic conditionality when trying to introduce its norms internationally; a matter which assures the realistic nature of its functioning.[277] However, the debate about whether the EUFP is realistically driven or normatively motivated is long lasting, and differing viewpoints have had many advocates; whereas other scholars are convinced that both aspects of motivations are linked and non-separable.[278]

The most striking aspect in the EU's foreign policy is its persistent attempt to advance its personality as a normative actor – i.e., as one driven by a constructivist rather than a realistic rationale while, like other world powers, it pursues its national interests, thus confirming the assumptions of the rational theorists. However, when its interests push it to function as a normative or civilian power, it does this as long as its required actions do not affect these interests, whereas it functions as a realistic power when its interests, not soft values, ultimately dictate doing so.

Indeed, this is what happened in Palestine with Hamas, and with the Islamic Salvation Front (ISF) in Algeria during the 1990s, when the EU not only remained silent about the military coup against democratic outcomes after the FIS had achieved an electoral victory in 1992, but also promoted the Algerian military government politically, diplomatically and economically[279] by concluding several cooperation agreements (including the 1995 Barcelona treaty) instead of penalizing it.[280] What happened in Algeria at that time, and the way the EU dealt with the consequences of the military coup, clearly confirms its opportunistic nature, and the role of the balance of power and the security factor as realistic parameters that led it to perform in that way.[281] Here, the EU opted to follow its interests rather than its values

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[277] Pollack, 'Theorizing EU Policy-Making'.

[278] Francesco Cavatorta and Michelle Pace, 'The Post-Normative Turn in European Union (EU)-Middle East and North Africa (MENA) Relations: An Introduction', *European Foreign Affairs Review,* 15/5 (2010), 581-87.

[279] Gorm Rye Olsen, 'Promotion of Democracy as a Foreign Policy Instrument of 'Europe': Limits to International Idealism', *Democratization,* 7/2 (2000/06/01 2000), 142-67. p. 155

[280] Look at; EU, 'Barcelona Declaration,' *Euro-Mediterranean Conference* (Barcelona, 1995).

[281] Richard Youngs, 'The EU and Algeria', *The European Union and the Promotion of Democracy* (Oxford: Oxford University Press, 2002). P 97 and, Hakim Darbouche and Yahia H. Zoubir, 'The Algerian Crisis in European and US Foreign Policies: A Hindsight Analysis', *The Journal of North African Studies,* 14/1 (2009/03/01 2009), 33-55.

(democracy and human rights), after having stood behind those who aborted a unique democratic attempt in North Africa.[282] In both cases, democracy as a supposed normative EU value and objective was denied, and its behaviours have proven the differences between rhetoric and deeds.

This has been supported from a historical perspective by Stephan Keukeleire and Jennifer MacNaughtan, according to whom, neorealist arguments appear more convincing when the matter relates to the EU which pursued its policies, for example, towards the Iraq war, the Iran crisis, and Chechnya. EU behaviours in these various cases offered practical proof that "the balance of power at the international level and the uneven distribution of capabilities between member states have determined the outcome and the (in) action of the EU",[283] which it is fully consistent with the neorealist rationale. This realistic logic could be also seen in the EUFP approach towards Russia and China when it concentrated on its economic interests at the expense of its inspiring norms and values.[284] Commenting on the use of normative language in these cases, Hyde-Price points out that, "the most obvious is that universalist claims more often than not serve to disguise particularist interests."[285] Thus, observing the EU from a realistic perspective is justified and understandable in light of the aforesaid instances.

Michelle Pace, a leading researcher on the EU's democratization process has reached the same conclusion noted above. Pace examined the EU's democracy promotion in the MENA, and attempted to match the theoretical claims regarding the necessity of exporting democracy and other related norms and values, and the EU's functionality in this regard. She noticed that the EU had prioritized its interests, as represented in stability and security in the ME, over its norms. Even the normative aspects of conventions between the EU and the Mediterranean countries following the EMP initiative, have not been activated or, in her words, "are not taken seriously by EU actors"; hence, sanctions have not been imposed on authoritarian regimes accustomed to violating internationally-backed norms and values with their people. On the contrary, the EU continued to support them given their role in securing the EU's fears

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[282] Youngs, 'The EU and Algeria'. p. 95
[283] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 329
[284] Stefania Panebianco, 'The EU and the Middle East', in Federiga Bindi (ed.), *The Foreign Policy of the European Union: Assessing Europe's Role in the World* (Washington DC: Brookings Institution Press, 2010). P190 And, Stefania Panebianco, 'Promoting Human Rights and Democracy in European Union Relations with Russia and China', in Sonia Lucarelli and Ian Manners (eds.), *Values and Principles in European Union Foreign Policy* (Routledge Taylor & Francis, 2006). p.132
[285] Hyde-Price, 'A 'Tragic Actor'? A Realist Perspective on 'Ethical Power Europe'', p. 33

of the radical Islamist threat and other such vital concerns. Given the sanctions imposed by the EU on the Hamas-elected government in 2006, Pace concluded that the EU had proved its stand "in stark contrast to the EU normative principles"; thus, paradoxes and contradictions between EU claims and practice were fundamentally linked with a lack of coherence in the EU's decision-making.[286] In another study, Pace argued that the EU's preferred model of democracy in the ME would protect stability, as perceived by the EU and its allies, either in the Arab-Israeli question or in its relations with authoritarian regimes. In her view, the EU boycott of the democratically-elected Hamas-led government from 2006 onward proved that EU donors to the PA were mostly focused on Israel's security and protection, and had no intention of building a real democracy in Palestine.[287] In the Palestinian case, therefore, the EU's interest-driven policy cannot be ignored or undermined and the constructivist-rationalist theoretical approaches could thus be convincingly combined and utilised in analysing the EU behaviours and policies, as is done throughout this study.

EU Geo-Strategic Historical Perspective on the Middle Eastern Context

> It is obvious for realists that the Middle East is a typical example of the inconsistencies, hypocrisies and double standards associated with having a normative agenda in foreign policy, and indeed; there are countless examples of conflicts between ethical concerns, and as the realists say, core national interests such as security.[288]

When discussing the EUFP towards Hamas, it is useful to look geo-strategically at the wider Middle Eastern context in which the EU has been functioning for a considerable length of time. Without understanding this context and the EU's underlying interests which are at the root of both conflicts and solutions, diagnosing the aforementioned policy lacks the necessary consistency and will lead to ignoring the framework in which it operates.[289] Indeed, "Europe has been present in Asia for centuries, and this fact alone is the key to understanding the close relationship that continues to exist between today's EU and much of the region."[290]

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[286] Michelle Pace, 'Paradoxes and Contradictions in EU Democracy Promotion in the Mediterranean: The Limits of EU Normative Power', *Democratization,* 16/1 (2009), 39-58.

[287] Pace, 'Liberal or Social Democracy? Aspect Dawning in the EU's Democracy Promotion Agenda in the Middle East', p. 801-12

[288] Persson, 'Dilemmas, Paradoxes, Inconsistencies and Double Standards: The EU in International Politics'. (APE Paper, 2010)

[289] See Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 24

[290] Wiessala, 'The Politics of Re-Orientation and Responsibility: European Union Foreign Policy and Human Rights Promotion in Asian Countries'. p. 6

Therefore, claimed realistic tendencies in the EUFP are rooted in the ties which connect the EU with its specific interests in the ME.

From a historical perspective, both Europe and later the EU has had substantial needs pertaining to the flow of oil and other geostrategic aims[291] related to the perception of the conflict between the East and the West over time, along with the West's desire to keep the East's capabilities under Western control even after the European colonial states had withdrawn from the ME. Hence, the total European policy in the region after the First World War (WW1) succeeded in dividing the Ottoman legacy, through the Sykes-Picot Agreement in 1916 and other bilateral agreements between the colonizing and colonized states, and keeping the region politically controllable.[292] In Roberson's opinion "the Great Powers had come to view the region as fragmented – never as a unified whole",[293] and this fragmentation has enabled the West to control the governments of the Middle East, thereby securing Western interests through weak rulers in terms of their relationships with the outside world, while governors and dictators were increasingly promoted by the same powers against their own populations' political will.

Thus, possible domestic social powers in the ME, which can affect Western hegemony over political and economic decisions, have been treated as potential hazards towards Western arrangements and interests in the region. This kind of uncertainty towards the intentions of the 'other' as a driving factor of neorealism,[294] has led the EU, in an obvious realistic trend,[295] to act with scepticism towards Islamists in the region, especially those who are religiously and nationally driven in choosing their countries' future national aspirations. In light of this reality, Hamas as well as the Islamic Salvation Front (FIS) in Algeria have both been treated aggressively, and other Islamists in the region have been ignored and excluded in favour of dictatorships by the EU member states.[296] With regard to neorealist perception, states are typically driven by their own uncertainty towards the intentions of others which might at any time affect their security.

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[291] Allen and Pijpers (eds.), *European Foreign Policy-Making and the Arab-Israeli Conflict* . p. 242

[292] See; Christopher Catherwood, *A Brief History of the Middle East from Abraham to Arafat* (; New York: Carroll & Graf Publishers, 2006). p. 165-175

[293] B.A.Roberson (ed.), *The Middle East and Europe the Power Deficit* (2 edn., London and New York: Routledge, 2005). p. 4

[294] Copeland, 'The Constructivist Challenge to Structural Realism'. p. 4

[295] To see how 'uncertainty' has been discussed among constructivist and rationalist scholars see: Federica Bicchi, *European Foreign Policy Making toward the Mediterranean* (New York and London: Palgrave Macmillan, 2007). p. 15-25

[296] Emerson and Youngs (eds.), *Political Islam and European Foreign Policy: Perspectives from Muslim Democrats of the Mediterranean*.

Consequently, actors are habitually "tempted to expand or otherwise strengthen themselves and/or weaken others in order to survive over the long haul."[297] According to this neorealist notion, the exterior milieu is considered the main determinant of foreign policy in which states, as rational actors, interact to secure their interests.[298] In such a formula, the revival of socio-political powers in the ME that can challenge Western hegemony over regional capabilities has been put under 'fire' by the West in different ways. Interestingly, Hamas in Palestine, fostered by substantial support from a broad sector of Islamists in the wider region, has represented one of these movements that has dramatically challenged this equation in the ME by concentrating on violent methods of struggle against Israel on one side, and its growing popularity within Palestinians on the other. This is why Hamas is believed to have been paying the price of this reality-challenge since its electoral triumph in 2006. However, in this framework, the EU's policy towards the Palestinian Hamas movement could be investigated and checked.

Conclusion

Analytically, the EU's foreign policy towards Hamas is seen to be based on a distinctly three-dimensional framework. While these three analytical aspects are different in term of their significance, they combine and intertwine to offer an appropriate method of analysis that is derived from basic FPA approach and particularly its offshoot FPDM. Indeed, the domestic context which fuels the decision-making (DM) process, in addition to the external environment which the adopted policy affects and by which it is affected, and the mechanisms used with all their relevant outcomes, are the areas under investigation in this study. Significantly, in light of idealism-materialism debates, FPDM and the agent/actor-structure approaches, equipped with a variety of models or theoretical aspects, have been functioned while articulating the ultimate framework of the research. Interestingly, constructivism theory, based on the mutual effect between structures and actors in IR and the changeable nature of identities, is considered to be one of the most suitable instruments of enlightenment in such discussions. It enables the researcher to emphasize how the EU defends its appreciated collective identity, reproduced and fostered from the 1950s onwards, when facing Hamas as an existential violent contradiction to the Israeli state whose cultural roots have been considered as one of the basic components of this identity.

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[297] Wohlforth, 'Realism and Foreign Policy '. p.35
[298] Keukeleire and Schunz, 'Foreign Policy, Globalization and Global Governance - the European Union's Structural Foreign Policy'. p.5

At the same time, neorealism is no less important than constructivism in its capacity for shedding light on the EU's interests in the ME and the way in which they are pursued; therefore, some of its provoked aspects or pillars, e.g., self-interests, security and uncertainty, have been activated. In fact, the EU's seemingly fixed interests, including the survival of Israel as one of them, could be accurately perceived through these theoretical neorealist lenses and thereby linked to the EU's policy towards Hamas. The aforementioned policy has intentionally been placed in a wider context pertaining to EU-ME relations, utilizing a historical analytical perspective. Thus, validity of these combined theories, modules and approaches will be under examination during this study.

Chapter Three: EU Foreign Policy: Development and Performance

Forming an appropriate image of the EU's policy towards others should undoubtedly include some idea of how the European Union Foreign Policy (EUFP) is constructed. This chapter therefore discusses the emergence in the 1970s of European Political Cooperation (EPC), the first established arm for the EUFP, and the subsequent establishment of the Common Foreign and Security Policy (CFSP) in terms of necessities, adjustments, developments, effectiveness, and areas of functioning, all of which will be appropriately emphasized. In addition, the EU institutions involved in the decision-making process will also be examined, along with the mechanisms and procedures used in arriving at decisions. Finally, the EU's Foreign Policy instruments will be identified in order to explore the extent to which the EU is able to interact internationally. The intention of this descriptive chapter is to introduce the EU, which acquires its importance from its performance and its ability to act appropriately, whether internally or externally.

Building a European Foreign and Security Policy

Among the European states, European foreign policy has been one of the most controversial matters; at the same time, it is one of the most frequently-debated subjects amongst EU analysts. Players from within and others from outside Europe have had a significant effect in steering this dispute. With the dawn of the European Union in the wake of WWII, the founding fathers of the Union cherished many aspirations. The long-hoped for peace and security were perhaps the main motivations, but this new European way of peace, represented in the eventual creation of the EU, certainly did not function in a vacuum; the onset of the Cold War, the Korean War, and other international crises dominated the political atmosphere around the world and in particular in Europe.[299] Hence, while these critical international circumstances put considerable pressure on the main unifying players, they made European endeavours towards a common foreign policy a doubtful matter, because of the presence of the agendas of many individual states within the new intergovernmental framework.

In response to these challenges, several attempts were made to build Europe a foreign affairs entity of its own; however many obstacles were found which transformed this debate into a significant taboo.[300] The European Coal and Steel Committee (ECSC), or Treaty of Paris, a French economic initiative, was launched in 1951, and was followed by another initiative

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[299] William Wallace, 'Foreign and Security Policy the Painful Path from Shadow to Substance', in Helen Wallace, William Wallace, and Mark A. Pollack (eds.), *Policy-Making in the European Union* (New York: Oxford University Press, 2010). p. 431

[300] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 64

directed towards building a defence system of its own for Europe, which would reflect the newly-generated global interactions that began in the wake of WWII. In 1952 the Union's founding fathers signed the European Defence Community (EDC) pact, according to which these economically-united countries would operate in a wider context.[301] This did not represent any form of opposition to NATO which, since 1949, had linked the two sides of the Atlantic in the face of any potential Russian threat. In spite of the failure of the pact two years later,[302] it was an attempt by the European side to take the initiative and to rely more on themselves instead of being dependent on the leadership of the US and NATO.

Predictably, the continuous-sovereignty debate since that time has dominated any progression in this dossier. Crucially, the European states, by and large, remain reluctant to concede that some of their national sovereignty in the security and defence sector will be decided by 'others', even if these 'others' are under the supervision of EU institutions.[303] This was precisely the reason behind the veto instigated by the French National Assembly on the EDC initiative, even though it was their own government that had proposed the project.[304] Despite the veto, the French government tried repeatedly but unsuccessfully to take the lead from the US in protecting Europe's continental security, to the extent that during the Gaullist phase it withdrew from the military structures of NATO in an attempt to reduce American hegemony in the resolving of European affairs on the one hand, and to raise Europe's political voice on the other.[305] Given the complexities of the situation after WWII, and the failure mechanisms of the EU's decision-making with regard to international political affairs after the end of the Cold War, this area has remained in need of adjustment with regard to the future of Europe.

Cancelling the EDC from the European agenda in the 1950s did not stop the European states involved in the ECSC from functioning indirectly on an international political level. Indeed, having signed the Treaty of Rome in 1957 the member states were by implication granted the competence of the European Economic Community (EEC) to hold negotiations and as a result were able to carry out agreements with third parties over economic issues. These agreements would not have been secured without member states proposing limitations, and defining "their relations with the rest of the world, and (creating) external expectations about

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[301] EU, <http://europa.eu/about-eu/eu-history/1945-1959/1952/index_en.htm>, accessed 20 April 2011.

[302] EU, <http://europa.eu/about-eu/eu-history/1945-1959/1954/index_en.htm>, accessed 20 April 2011.

[303] Thomas, 'The Challenge of EU Foreign Policy'. p. 10

[304] Federiga Bindi, 'European Union Foreign Policy: A Historical Overview', in Federiga Bindi (ed.), *The Foreign Policy of the European Union: Assessing Europe's Role in the World* (Washington DC: Brookings Institution Press, 2010). p. 14

[305] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 42

the role of the EU as a major power which also entailed foreign policy related choices."[306] In this way the European economic presence in the world made it inevitable that the Europeans would gradually increase their political 'actorness', even if this was happening without any previous intentions on their part. Eventually, and notwithstanding the cautiousness of its member states with regard to conceding some of their sovereignty on foreign and security affairs, the EEC agreed a mechanism which guaranteed the lowest common denominator between them.

The Emergence of European Political Cooperation (EPC)

Generally speaking, the French leadership continued the search for a political role for the new European body throughout the 1950s and 1960s. In the late 1960s France had returned to the table to ask its other partners in the EEC for a greater political role for Europe in the international field, and from the 1970s onwards it succeeded in building an "incremental process of trial and error, trying to circumvent this taboo".[307] In 1970, member states approved a proposal, delivered by their foreign ministers, to increase the political weight of the Europeans internationally, and to agree appropriate common actions.[308] Under the European Political Cooperation (EPC) arrangements, this cooperative programme saw the member countries framing a foreign policy towards specific issues and areas in the world, on the basis of what was known as the Luxemburg Report.[309] In fact, this development, which was sustained by a Political Committee, fulfilled some of France's desires for a stronger European voice in the international arena, and satisfied the Germans who also benefited greatly from this development.[310] Practically speaking, the general basics of a European foreign policy, upon which the European Community (EC) would act in the coming period, had already been outlined by the early 1980s.[311]

In addition to other kinds of cooperation, the EPC was determined as a framework that was separate from the Community, and had a strict intergovernmental voting mechanism that implied unanimity in decisions relating to foreign affairs. Although the Commission was associated with this body, the European Parliament (EP) had no significant role in decisions made by the heads of state governments, and the European Court of Justice had no right to

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[306] Ibid. p. 43
[307] Ibid. p. 64
[308] Bindi, 'European Union Foreign Policy: A Historical Overview'. p. 19
[309] Smith, *European Union Foreign Policy in a Changing World* . p. 31
[310] Pollack, 'Theorizing EU Policy-Making'. p. 431
[311] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 47

review decisions made by EPC. Management of the EPC involved only the president of the Council, assisted by the past and future presidents who together made up 'the Troika', which conveyed details of the EEC's positions to third countries.[312] Significantly, "EPC's objectives were modest: regular consultations, coordination of national positions and where possible common actions."[313]

Within this framework, the Community's economic resources were used increasingly to back the decisions made by the EPC, especially in cases that involved the imposition of sanctions against third parties such as, for example, "Poland in 1982, Argentina during the Falklands crisis in 1982, and South Africa from the mid-1980s."[314] This additional power did not allow the EPC to discuss defence subjects; instead it preferred to leave this area to NATO which, in effect, had been the sole body responsible for the security of Europe since 1949. Alongside the EPC, there was intergovernmental cooperation in the fields of justice and internal affairs. Increasingly, however, many problematic issues in the European sphere imposed themselves on the European decision-makers, including such matters as terrorism, air traffic security, and organized crime and drug-trafficking.[315] Accordingly, away from the Community, cooperative initiatives and coalitions were agreed between member states at the intergovernmental level, and paved the way for more advanced and operational types of collaboration.

The Common Foreign and Security Policy (CFSP) Necessities and Effectiveness
The cumulative effects of a diversity of challenges since the 1980s have led to essential changes in the mechanisms of European decision-making. The completion of the European single market, the collapse of communism, the eruption of ethnic wars in the former Yugoslavia and the reunification of Germany, along with the Iraqi invasion of Kuwait, constituted the main factors challenging the EPC mechanism in the post-Cold War era.[316] Indeed, with the emergence of these challenges around the end of the 1980s, "the EC appeared well positioned to increase its international influence and develop a stronger foreign

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[312] Smith, *European Union Foreign Policy in a Changing World*. p. 32, and Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 46, also Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*.
[313] Smith, *European Union Foreign Policy in a Changing World*. p. 32, also Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 44
[314] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 46
[315] Smith, *European Union Foreign Policy in a Changing World* . p. 32-33
[316] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 48; and Smith, *European Union Foreign Policy in a Changing World* . p. 33 see also; Neil Winn and Christopher Lord, *EU Foreign Policy Beyond the Nation-State: Joint Actions and Institutional Analysis of the Common Foreign and Security Policy* (New York: Palgrave, 2001). p. 39

policy profile."[317] However, the question for debate is whether the EPC instrument was sufficient to deliver an adequate level of functionality in the new world order or whether it should have been developed further. In practice, European leaders had no choice other than to develop an outstanding level of performance internationally, and this needed new mechanisms for acting and new procedures for taking decisions. In due course this led to the adoption of the Treaty of Maastricht in 1992 and the emergence of the Common Foreign and Security Policy (CFSP) as a method of operating and according to which it became possible to pursue much more crucial and decisive policies in the foreign affairs arena.

Although this new European agreement was surrounded by much scepticism as well as by doubts as to its effectiveness, this body lost no time in establishing itself as one of Europe's major political arrangements, which soon led to new expectations and new sorts of behaviour and interaction towards the outside world. Significantly, CFSP has become 'an important aspect of modern European diplomacy' which is cooperatively led by intergovernmental policy-makers representing the EU member states.[318] Hence, this development, opening the door to other political improvements in the next decade or so, could be regarded as a considerable change in the functionality of the EU in an international context.

It is obvious that the new CFSP complements the previous EPC policy that, in fact paved the way for it to enhance the status of the EC on the international stage and strengthen mutual relations and joint actions among the member states. In terms of goals, the CFSP was obviously intended to strengthen European integration in the post-Cold War era, as well as to manage inter-institutional relations and make them more compatible with new developments globally. Furthermore, it concerned not only Europe's identity and how its values and interests in the world should be safeguarded but also the way in which Europe should promote democracy, cooperation and human rights in conformity with principles of

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[317] John Van Oudenaren, 'The European Union as a Foreign Policy Actor toward a New Realism', in Ronald Tiersky and John Van Oudenaren (eds.), *European Foreign Policies: Does Europe Still Matter?* (Lanham & New York: Rowman & Littlefield, 2010). p. 20, also Bindi, 'European Union Foreign Policy: A Historical Overview'. p. 24

[318] Ben Tonra and Thomas Christiansen (eds.), *Rethinking European Union Foreign Policy* (Manchester: Manchester University Press, 2004). p. 23-28

international law.[319] In addition, it was concerned with the credibility of the EU which was in need of effectiveness and proper actions and reactions.[320]

However, words and symbols are not like deeds and behaviours, and although EU member states were concerned about developing policy-making instruments, they did not all show equal levels of enthusiasm. As a result, and owing to the lack commitment of member states towards the success of CFSP, their aspirations for an effective and credible foreign policy fell short, since CFSP was not provided with either the necessary apparatuses or an enabled institutional structure.[321] Such weakness increased the likelihood that the CFSP would be a failure, either in or outside Europe. Crucially, the problematic situation in Yugoslavia along with the Gulf Conflict during the 1990s, confirmed the failure of the new Common Foreign and Security Policy (CFSP) mechanism to address these kinds of foreign affairs promptly, appropriately and adequately; a matter which required the performance of the new mechanism to be developed by sidestepping the restrictions of the previous EPC instrument.[322]

Accordingly, the Amsterdam Treaty of 1997,[323] and subsequent treaties attempted to tackle the factors which had undermined European performance during the tenure of both the EPC and the CFSP. The major qualitative change made via the Amsterdam Treaty was the creation of the position of Secretary General / High Representative of the CFSP, and the High Representative, supported by back up units, was accordingly delegated to help "the Council and the Presidency in the formulation, preparation and implementation of policy decisions."[324] The second important innovation under the Amsterdam Treaty was the creation of a new 'common strategies' instrument, upon the basis of which the strategy towards the Mediterranean was duly formulated along with other strategies towards Russia and Ukraine.

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[319] EU, 'Consolidated Version of the Treaty on European Union', (O.J. C 83/01, 2010a). Art. 21:2 :a-h and Oudenaren, 'The European Union as a Foreign Policy Actor toward a New Realism'. P 23; also Tonra and Christiansen (eds.), *Rethinking European Union Foreign Policy* . p. 12

[320] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 48-49

[321] Ibid. p. 51

[322] Winn and Lord, *EU Foreign Policy Beyond the Nation-State: Joint Actions and Institutional Analysis of the Common Foreign and Security Policy*. p. 38; see also Oudenaren, 'The European Union as a Foreign Policy Actor toward a New Realism'. p. 23

[323] This treaty agreed to amend the Treaty of Maastricht to make the use of the much expanded QMV and to allow for greater democracy within the EU. See EU, 'Treaty of Amsterdam Amending the Treaty on European Union, the Treaties Establishing the European Communities', (Official Journal, 10 November 1997).

[324] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 54

Furthermore, the relationship between the EU and the Western European Union (WEU)[325] was reinforced after the former had gained access to the latter's abilities which were devoted to humanitarian, rescue and peace keeping tasks.[326] Broadly, the Treaty adjusted some of the provisions of the CFSP to enable it to improve its abilities to act in the foreign affairs field.

Triggered by the crisis in Kosovo during 1998-99, the EU made another significant leap forward represented in its adopting of a European Security and Defence Policy (ESDP) as "an international crisis management policy, whose aims include helping to prevent conflict and rebuild societies emerging from war."[327] In fact, this crisis showed up the EU's weakness and inability to act appropriately, and put tremendous pressure on the Union to adjust itself so that it would be capable of preventing socio-political catastrophes in its own backyard.[328] Therefore, the British and French governments agreed on the principle that a military power was needed with the capacity to take autonomous action should it be necessary. Hence, at its meeting in Cologne in June 1999 the European Council adopted the goal of establishing the ESDP, followed by another decision at its Helsinki summit to commit itself to being able to deploy military forces if needed; it was also agreed that committees with a military and security nature would be created within the framework of the Council.[329] These developments were successful, and several military and civilian missions have been subsequently deployed in many places, such as Macedonia, the Balkans, Africa and the ME.

In practice, the CFSP was qualitatively altered by the establishment of the ESDP, with the former moving "from a declaratory foreign policy focused on diplomacy to a more action-oriented foreign policy focused on a more proactive crisis management."[330] Another significant and innovative addition to the CFSP included in the constitutional proposal in 2004 and approved in the Treaty of Lisbon in 2007, was the European External Action Service (EEAS) which would cover all aspects of the EU's external encounters. At the same

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[325] The WEU was an international defence alliance, composed of ten member states, founded in 1948 and modified in 1954 during the Cold War. Later it provided the 'framework for the creation of a European defence policy. Following the adoption of the Treaty of Lisbon, all functions of the WEU were effectively incorporated into the EU, and the WEU itself was closed down in 2011. For details, see: EU, 'About CSDP - the Western European Union', <http://eeas.europa.eu/csdp/about-csdp/weu/index_en.htm>, accessed 20 April 2013.

[326] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 55; also Bindi, 'European Union Foreign Policy: A Historical Overview'. p. 35

[327] Esra Bulut et al., 'A Strategy for EU Foreign Policy ', in Álvaro De Vasconcelos (ed.), (7; Paris: European Union Institute for Security Studies ISS, June 2010). p. 22

[328] Pollack, 'Theorizing EU Policy-Making'. p. 448

[329] See EU, 'Ministerial Declaration: ESDP Ten Years – Challenges and Opportunities', (2974th External Relations Council meeting; Brussels: Council of the European Union, 17 November 2009).

[330] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 56-57

time a new position was created for the Union's Foreign Affairs came into effect – that of High Representative of the Union for Foreign Affairs and Security Policy – which in practice combined the leadership of both the EEAS and CFSP.[331]

The CFSP has dealt with many areas, including geographical, political, state-actors, non-state actors, and thematic aspects. First, EU-US relations which had already been improved were further deepened and thoroughly coordinated over time, both collectively and separately. Secondly, relations with Eastern Europe and the Soviet Union, which had been reorganized and reconfigured along with the end of the Cold War era and various phases of European expansion, were further strengthened. Third, relations with developing countries and the Mediterranean region, regarded as very significant to the EU for their economic and political impacts, were established and formalised through various conventions. Relations were confirmed with the former state of Yugoslavia from which the EU, having managed the crisis in that area for over three years, had learned a number of lessons. The CFSP also had to deal with common trade policies which were established with other countries or organizations, such as that with the World Trade Organization (WTO).[332] In addition, the EU, through the Common Foreign and Security Policy, intervened in humanitarian crises and geopolitical conflicts, including the ME conflict, in which the EU role would become highly controversial.[333] Consequently, and even though the EU is still far from being regarded as purely supranational, it has made incremental attempts around the world to increase its functionality to match its capabilities.

Institutions of Decision–Making

It is generally known that the three main EU institutions involved in the decision-making process are the Council of Ministers, the Commission and the Parliament (EP).[334] These three institutions are assisted in an advisory capacity by two other committees; the European Economic and Social Committee (EESC) which functions as a consultative body of the European Union, reflecting Europe's socio-occupational interest groups,[335] and the Committee of the Regions which plays the role of an advisory body, "representing local and

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[331] Ibid. p. 62

[332] Tonra and Christiansen (eds.), *Rethinking European Union Foreign Policy*. p. 12, also Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 255-295

[333] For more details see; Cronin, *Europe's Alliance with Israel Aiding the Occupation*.

[334] See Smith, *European Union Foreign Policy in a Changing World* . p. 33

[335] See, EESC, 'About the Committee', <http://www.eesc.europa.eu/?i=portal.en.the-committee>, accessed 15 December 2012.

regional authorities in the European Union".[336] The importance of each differs according to the limits of the powers that have been conferred on them through various European treaties,[337] particularly the Lisbon Treaty of 2007 which above all forms a constitutional convention in light of which details of authorities can be precisely understood. Other EU institutions, such as the Court of Justice of the European Union, the European Central Bank and the Court of Auditors, in addition to the European Council, all fulfil specific roles as specified in the Treaty. This institutional structure aims "to promote [the EU's] values, advance its objectives, serve its interests, those of its citizens and those of the Member States, and ensure the consistency, effectiveness and continuity of its policies and actions."[338]

Over all of these institutions stands the European Council, which came into existence informally in 1974 within the framework of the EPC and gained its formal status in 1992.[339] As the Lisbon Treaty states, it consists of the Heads of state or government of the member states, together with its President and the Commission President, while the High Representative of the Union for Foreign Affairs and Security Policy takes part in the Council's meetings, held twice in every six months. Fundamentally, its responsibilities involve defining the general political directions and priorities for the EU without being formally involved in legislative functions. After the European Council's President has been elected by the member states using the Qualified Majority Vote (QMV),[340] he or she is expected to assist in achieving consensus and cohesion within the European Council, in addition to other duties that include ensuring consistency between member states and sound functionality in external affairs.[341] Hence, overall strategies for, and the main purposes of the CFSP, including those related to defence implications, should be identified by the Council.[342]

With regard to the decision making process and "on the basis of strategic guidelines laid down by the European Council", the Council of Ministers is considered the main decision-making actor, and first and foremost must give its approval to any decision before it is implemented. In practice, this body consists of representatives at ministerial level from each

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[336] EU, 'Consolidated Version of the Treaty on European Union'. Art 13:4. And see, EU, 'Committee of the Regions', <http://europa.eu/about-eu/institutions-bodies/cor/>, accessed 15 December 2012.
[337] EU, 'Consolidated Version of the Treaty on European Union'. Art.13:2
[338] Ibid. Art 13:1
[339] EU, 'European Council ', <http://europa.eu/about-eu/institutions-bodies/european-council/index_en.htm>, accessed 15 March 2012.
[340] 'QMV' will be discussed later in this chapter.
[341] EU, 'Consolidated Version of the Treaty on European Union'. Art 15:1-5
[342] Ibid. Art 26:1

member state, and exercises legislative and budgetary functions in conjunction with the Parliament.[343]

The European Parliament (EP) is another important EU institution whose powers have continued to expand. Basically, it is proportionally composed of EU citizens, and while it should not exceed 751 representatives, who are elected for five-year terms, no member state should have fewer than six representatives or be allocated more than 96 seats.[344] Noticeably, while the 1957 Treaty of Rome[345] initially gave it very little voice in the legislative process, these days the EP is able to refuse legislations proposed by the Commission, and to amend or even to block them. Additionally, certain types of international agreement as well as the Community budget should be approved by the EP, including funding for external actions.[346] This competency will be considerably enhanced after November 2014 when many provisions of the Lisbon Treaty will come into force. Accordingly, "the Commission will be responsible to the EP", and the latter "may vote on a motion of censure of the Commission"; implying that if this happened the Commission members would submit their resignations, and that the High Representative of the Union for Foreign Affairs and Security Policy would consequently resign from all duties in the Commission as well.[347] Thus, although the EP currently does not have a strong voice internally or externally, it has been increasingly gaining powers that over time have enabled it to function significantly.

The European Commission also acts as a 'government' of the EU with specific provisions. In reality, this body, composed of 27 Commissioners, consists of a representative from each member state, including the President and the High Representative of the Union for Foreign Affairs and Security Policy who should be one of the Vice-Presidents. In practice, all its members should be independent of their national governments, and strictly should act apart from the influence of any other national voices; they "shall be chosen on the ground of their general competence and European commitment from persons whose independence is beyond doubt". According to the Lisbon Treaty, other provisions will be implemented from November 2014 onwards, based on the role of the Parliament in determining the

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[343] Ibid. Art 16 :1-6
[344] Ibid. Art 14:2-4
[345] It was an international treaty signed primarily between six European member states in 1957, and considered the establishing treaty of the European Economic Community EEC. For details see; EU, 'EU Treaties', <http://europa.eu/about-eu/basic-information/decision-making/treaties/index_en.htm>, accessed 15 March 2012.
[346] Smith, *European Union Foreign Policy in a Changing World* . p. 35
[347] EU, 'Consolidated Version of the Treaty on European Union'. Art. 17:8

Commission's figures and their official positions after being proposed by the Council of Ministers.[348] Fundamentally, its role has been fostered over time to the extent that it has now delegations in 123 countries. With regard to its roles, the Commission has amalgamated many duties simultaneously; as the Lisbon Treaty says

> The Commission shall promote the general interest of the Union and take appropriate initiatives to that end. It shall ensure the application of the Treaties, and of measures adopted by the institutions pursuant to them. It shall oversee the application of Union law under the control of the Court of Justice of the European Union. It shall execute the budget and manage programmes. It shall exercise coordinating, executive and management functions, as laid down in the Treaties. With the exception of the common foreign and security policy, and other cases provided for in the Treaties, it shall ensure the Union's external representation. It shall initiate the Union's annual and multiannual programming with a view to achieving interinstitutional agreements.[349]

Adopting Decisions: Mechanisms and Procedures

Despite amendments to the CFSP dossier intended to strengthen its functionality, the effectiveness of the EU's foreign affairs is hugely still below expectations. Whereas key players favour a more effective CFSP, mainly France, Germany and Britain, they are countered by other EU member states who are apparently reluctant to support some of their controversial endeavours.[350] However, the CFSP is full of aspirations,[351] and being merely a more developed copy of the EPC has lowered its performance quality. In the case of the CFSP the mechanism of decision-making, which remains substantially unchanged from the EPC days, needs consensus; this has made it difficult to achieve decisions on problematic areas in the world, and has enabled any single member state to prevent decision from being agreed rather than implemented.[352] Hence, it might be concluded that common EU policies can be achieved only when member states have identical preferences, or will otherwise fail if and when their preferences diverge.[353]

However, the European Parliament has limited roles to play in this mechanism, along with the fact that there is no substantial central budget which could be used if it was necessary to

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[348] Ibid. Art.17: 3-8
[349] Ibid. Art 17:1
[350] Pollack, 'Theorizing EU Policy-Making'. p. 441
[351] Tonra and Christiansen (eds.), *Rethinking European Union Foreign Policy* . p. 12
[352] Daniel C. Thomas, 'Explaining EU Foreign Policy: Normative Institutionalism and Alternative Approaches', in Daniel C. Thomas (ed.), *Making EU Foreign Policy; National Preferences, European Norms and Common Policies* (New York: Palgrave Macmillan, 2011b). p. 11
[353] Thomas, 'The Challenge of EU Foreign Policy'. p. 8

take action. The European Commission on the other hand, has a greater authority over external issues but Qualified Majority Voting (QMV) "is formally the rule here [where] member states retain considerable powers to block the adoption of policies they do not like".[354] Due to such shortcomings, CFSP's performance has not lived up to expectations and there are still insuperable divergences amongst member states which prevent the EU from playing a more internationally-significant role. In 2003, for example, divisions within the EU over the US-led invasion of Iraq reflected the extent to which member states differed regarding foreign policies.[355] Consequently, since "CFSP is by far the weaker structure of the EU's dual system of foreign affairs",[356] decision-making on foreign affairs continues to operate within a framework of day-to-day policy-making and has not yet risen to the formulating of substantial policies at key strategic levels.[357]

In security and defence affairs, the inter-governmental decision-making process remains formally administered by the Council of Ministers which authorises civil servants (the Committee of Permanent Representatives) to follow up the decision-making process while the Council is not in session. These civil servants, known by their French acronym 'COREPER', represent their own governments from offices based in Brussels. Alongside the Political and Security Committee, known as COPS, which represents the permanent body of the CFSP, they are responsible for reaching a consensus or a compromise and for preparing the work of the Council of the EU.[358] The COPS has the authority to overcome all potential obstacles in order to achieve what is called the 'necessary consensus' and 'necessary compromise', away from media pressure.[359] This decision-building mechanism has been adopted by member states in order to guarantee full control by their governments over all issues related to security and defence affairs. This involves taking account of the many significant intergovernmental procedures, calculations and determinants stipulated by the member states before the necessary supranational agreements can be reached with regard to

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[354] Ibid. p. 9

[355] Lewis, 'EU Policy on the Iraq War and Its Aftermath: The Breakdown and Revival of Consensus-Based Decision-Making'. p. 70

[356] Gerd Nonneman, 'The Three Environments of Middle East Foreign Policy Making and Relations with Europe ', in Gerd Nonneman (ed.), *Analysing Middle East Foreign Policies and the Relationship with Europe* (London & New York Routledge, 2005). p. 36

[357] John Peterson and Helene Sjursen (eds.), *A Common Foreign Policy for Europe? Competing Visions of the CFSP* (London and New York: Routledge, 2005). p. 15

[358] EU, 'Glossary', <http://europa.eu/legislation_summaries/glossary/coreper_en.htm>, accessed 15 March 2012.

[359] Bickerton, 'Towards a Social Theory of EU Foreign and Security Policy', p. 180

the required outcomes.[360]

Even though many technical and substantial obstacles have prevented the CFSP from functioning effectively, it is notable that more than 1000 resolutions were embraced over the period between 1993 and 2008, with a gradual increase from just 15 per annum in 1993-1995 to an average of 108 per annum in 2004-2008. Despite the QMV mechanism, most of these resolutions, joint actions and common policies "involving high-profile diplomatic disputes, economic sanctions, and even the use of military force" were unanimously adopted.[361] These developments indicated that civil servants, represented by both COREPER and COPS, were playing a facilitating role, with the Council of Ministers giving its approval to the outcomes of their efforts.[362]

As a method of voting in the EU Council of Ministers, QMV rather than consensus has resulted in a qualitative technique that reflects the distribution of power between member states in EU decision-making. Following the EU enlargement the debate revolved around the crucial factor of improving decision-making efficiency while securing a fair representation for each member state. Notably, "the accession of a large number of new members put pressure on the capacity of the EU's decision-making structures to produce collective agreements", and innovative mechanisms were needed to keep up with increasing demands, both internally and externally.[363] Therefore, given that the demographic weighting of the EU member states is different, this implied diverse voting weights in a mechanism that was agreed by the EU and that has established a significant level of stability amongst its member states. For example, the UK, Germany, France and Italy were each given 29 votes, while Austria, Sweden and Bulgaria have only ten each. Similarly, the rest of the EU member states were weighted according to the percentages of their populations.[364] Although this mechanism was adopted and distinctively activated, it has also been subject to revision by the EU member states over time (Figure 1).

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[360] Ibid. p. 178-81
[361] Thomas, 'Explaining EU Foreign Policy: Normative Institutionalism and Alternative Approaches'. P 11
[362] EU, 'Consolidated Version of the Treaty on European Union'. Art. 16:7
[363] Ulrich Sedelmeier, 'Eastern Enlargement Towards a European EU?', in Helen Wallace, Mark A. Pollack, and Alasdair R. Young. (eds.), *Policy- Making in the European Union* (6th edn.; Oxford: Oxford University Press, 2010). p. 418
[364] EU, 'Consolidated Version of the Treaty on the Functioning of the European Union', (O.J. C 115/47, 2010b). Protocol No. 36 Art. 3

Figure 1: **Distribution of Votes in the EU for each Member State/2012**[365]	
Germany, France, Italy, United Kingdom	29
Spain, Poland	27
Romania	14
Netherlands	13
Belgium, Czech Republic, Greece, Hungary, Portugal	12
Austria, Bulgaria, Sweden	10
Denmark, Ireland, Lithuania, Slovakia, Finland	7
Cyprus, Estonia, Latvia, Luxembourg, Slovenia	4
Malta	3
TOTAL	345

While the rule governing decision-making in the European Council is by consensus,[366] the Council of Ministers, as noted, acts according to the QMV system unless otherwise specified in the treaties. According to Lisbon Treaty, this procedure means that, until November 2014, when decisions are being adopted they must be supported by 255 out of a total of 345 votes, representing the majority of the members (14 states) and 62% of the EU's citizens. However, if the Council acts on a decision that has not been proposed by the Commission or the High Representative of the Union for Foreign Affairs and Security Policy, a special majority consisting of two thirds of the members (18 states) and representing 62% of the citizens must be guaranteed for that decision to be approved. From November 2014 onwards, decisions will have to be supported by 55% of the member states (at least 15 of them) and include 65% of EU citizens.[367] At the same time, the blocking minority must include four member states representing 35% of the populations of the EU plus one member, "failing which the qualified majority shall be deemed attained".[368] Interestingly, where the Council does not act on a proposal from the Commission or the High Representative of the Union for Foreign Affairs and Security Policy, the QMV system must consist of 72% of the Council members, representing 65% of the EU population.[369] Thus, even though most of the EU's decisions

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[365] EU, 'The Council of the European Union', <http://www.consilium.europa.eu/council?lang=en>, accessed 10-2-2012

[366] EU, 'Consolidated Version of the Treaty on European Union'. Art. 15:4

[367] Ibid. Art 16: 1-4

[368] EU, 'Consolidated Version of the Treaty on the Functioning of the European Union'. Art. 238

[369] Ibid. Art 283: 2

have been agreed unanimously, the QMV system constitutes a distinguished tool by means of which dozens of resolutions have been adopted over time.

Procedurally, the CFSP decision-making machine should pass through several processes before a decision is reached. First, common strategies, where the member states have common interests, are to be agreed unanimously by the European Council. Usually, these strategies will determine the EU's goals, means and duration, according to which it becomes possible for these common areas to be implemented. Secondly, when implementing these strategies joint actions and common positions are approved by the External Relations Council of the Council of Foreign Ministers using QMV. In this respect, "the Council may, using unanimity, implement joint actions and common positions separately, not as measures implementing a common strategy." Joint actions are mostly decided in specific circumstances where operational action is required from the EU, and the member states are obliged to follow the EU's lead in their own foreign policies and with international organizations.

The EU's approach to a particular matter of a geographical or thematic nature is meanwhile defined by common positions held by the member states who have established important interests in common.[370] Furthermore, the Council's assent to certain agreements is required by QMV whereas the EP approval is not essential, e.g., in the case of trade agreements. Yet the Council is required to consult the EP for cooperation and development cooperation agreements, using QMV where applicable. In the case of association agreements the EP's assent is required while the Council decides by unanimous vote.[371] Thus, understanding these procedures and provisions, while examining the EU's FP towards Hamas, is essential for realizing the path which is being followed when adopting strategies, joint actions, common positions and agreements in the EU institutions.

The EU's Foreign Policy Instruments
When acting collectively towards a non-EU actor, the EU has a diverse set of instruments which is, or can be, used to affect this actor. In fact, policy instruments denote tools "used by policy-makers in the attempt to get other international actors to do what they would not otherwise do."[372] In this respect, the EU can activate economic, diplomatic and military

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[370] Winn and Lord, *EU Foreign Policy Beyond the Nation-State: Joint Actions and Institutional Analysis of the Common Foreign and Security Policy*. p. 12

[371] EU, 'Consolidated Version of the Treaty on European Union'. Art 218(a) & Smith, *European Union Foreign Policy in a Changing World* . p. 45

[372] Smith, *European Union Foreign Policy in a Changing World* . p. 55

instruments in its attempt to affect others. Economically, since the EU is the largest trading bloc in the world as well as one of the largest aid donors, other states make huge demands for agreements with the EU, a situation that enables the latter to exert significant influence on international affairs, either negatively or positively according to circumstances. Negative influence might include imposing economic and financial sanctions on third countries, for example by embargoing certain exports, boycotting imports by others, increasing tariffs, delaying the conclusion of agreements, and so on. Positive influence could include tariff reduction, providing aid, extending loans, concluding alliances, and so on.[373] In the case of 'normal' and non-conflictual relationships this dimension is considered the main EU instrument.[374] Second are the instruments of diplomacy, which are applied through the CFSP. Understandably, these will include high-level visits, supporting action by other international organizations, diplomatic sanctions, sending special envoys, sending election observers, imposing arms embargoes, and so on. Finally, there are the military instruments, which are based on the European Council's decisions at Helsinki regarding the establishment of the ESDP. Despite the large gap between expectations and the EU's capabilities in practice, the EU has launched several military missions in various parts of the world. In spite of that the Lisbon Treaty has enabled the EU, if required, to function more promptly and efficiently than previously,[375] it is believed that the above-mentioned instruments have been inconsistently implemented, depending first and foremost on the EU's interests rather than being normatively activated as was clear in the case of Hamas.

Conclusion

The European Union emerged from a complicated past full of wars and conflicts amongst individual European states themselves. Its emergence represented a qualitative leap in international relations through which it has been able to overcome many obstacles. Although it began its journey based on economic imperatives, it has become a political actor with a minimum common denominator in its foreign policy. The ability to function in this way has pushed EU thinking into a complicated process of negotiations and agreements with outcomes which have included common strategies, provisions and joint actions, reflecting both its internal and external strengths and weaknesses alike. Interestingly, there are still many issues which need to be developed in running this process of integration and unity, but

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[373] Ibid. p. 56

[374] Winn and Lord, *EU Foreign Policy Beyond the Nation-State: Joint Actions and Institutional Analysis of the Common Foreign and Security Policy*. (2001, New York: Palgrave) . p. 30

[375] Smith, *European Union Foreign Policy in a Changing World* . p 54-72

the foundation for such action has already been constructed. The most complicated aspect is the decision-making mechanism which usually leads either to divergence or convergence amongst member states, depending on the sensitivity of subjects under discussion. Therefore, all treaties, headed by the Lisbon Treaty, have been approved with the aim of easing the process of decision-making and facilitating the functionality of the EU in the agreed areas.

In fact, due to the differences in the interests and calculations of member states especially those who have had a heavy presence in the world, such as UK, France and Germany, the EU's foreign and security policy is the most difficult area amongst other areas of discussion. Significantly, the EU member states have, on many occasions, been unable to agree on specific decisions. However, in the case of Hamas, they agreed unanimously on a common position that involved stigmatizing the movement as a terrorist organization, boycotting it and subsequently even besieging its democratically-elected government. Once such a decision has been issued in such a way by the Council of the EU, it becomes extremely difficult for it to refer the decision, due to the tough decision-making mechanism and its requirement for unanimity, as explained above. Consequently, the EU institutions have been hardly constructed, and whereas many decisions were subject to controversy and thus rejected, the controversial foreign policy amongst member states has been harmonised in the case of Hamas. This has had many subsequent repercussions on the Arab-Israeli conflict and has caused the EU's credibility to become vulnerable, as the following chapters will emphasize.

Chapter Four: The Formation of the EU Foreign Policy towards Palestine: Contextual Historical Perspective

> Europe is as much a cultural idea as it is a geographical one. What makes Europeans European are unifying cultural symbols, from Aristotle to the teachings of the Bible.[376]

> 'To understand discourses then is to understand the underlying logic of the social and political organization of a particular arena and to recognize that this arrangement and the structures of power and meaning underpinning it are not natural, but socially constructed'.[377]

The aim of this chapter is to discover the extent to which the tension[378] between the EU and Hamas is one of instantiations and manifestations of the tension between the West and the Islamic East over time.[379] There are two sections; the first considers the history factor, with regard to the perception of the relationship between the two geopolitical regions over centuries. While inherited feelings and beliefs about the Islamic East and the way that Europeans have perceived it are fundamental in today's EU policy in the ME, the Islamic East's perception of Europeans is also of crucial importance. Furthermore, the historical development of the prominence of European countries, namely the UK and France, in the East is emphasized in order to explain the roots of European relations with the ME.

The second section sheds some light on the historical involvement of the EU, following its establishment as a Union, in the Arab-Israeli conflict, and focuses on the EU's financial and political roles in the MEPP. Understanding the relationship between Hamas and the EU leads inevitably to looking at the engagement of the EU in the Palestinian-Israeli conflict from a historical perspective. This is to say that this chapter will investigate the weight of the East-West history as effectual, not essentially decisive, factor in constructing each actor's

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[376] Sonia G. Benson (ed.), *History Behind the Headlines the Origins of Conflicts Worldwide* (6; USA: The Gale Group, 2003). p. 115

[377] Herrera and Braumoeller, 'Symposium: Discourse and Content Analysis', p. 22

[378] The notion of "tension" means in this study "strained relations between groups or individuals" or, according to the *Oxford Online Dictionary,* "a relationship between ideas or qualities with conflicting demands or implications". See http://oxforddictionaries.com/definition/tension .

[379] Although these concepts are debatable, for the purpose of this study, "West" mostly means Europe and sometimes will mean Europe in addition to the USA and Canada, while "East" means exclusively the Middle East (mainly the Arab States and Turkey).

perception about the conflict, and the effect of the historical cultural background of both the EU and Hamas on the DM process in question.

Section One: Inherited Historical Tension

It is believed that throughout history, the Western countries have attempted to control the Islamic East, and to reshape it in a manner that would make it less of a threat to them and render it more compatible with their interests. Self-interest and identity have thus played significant roles in this regard, driving invasions, wars and even settlements. This section shows how historical issues are deeply entrenched in present-day policies, and how such hegemonic tendencies for controlling others continue to affect the political scene.

History and Politics: Playing on the Same Field

Whether it was said by George W. Bush or Osama Bin-Laden, it was not a mere a slip of tongue that the nature of the conflict in the ME could be regarded as a 'Crusader War'. Nor does it matter whether their conclusions are right or wrong; the most important thing is the dynamics that enable such attitudes to function. Neither of these individuals specialised in history, but history typically tells its story to all, whether politicians, intellectuals, or ordinary people. In speeches broadcast through the media, Bin Laden rarely ceased his call for Muslims to defend their lands and beliefs in the face of the new crusades,[380] while George W. Bush justified the American 'war on terrorism' in 2001 and subsequently the invasion of Iraq and Afghanistan in 2003 in the same way, inspired by religious trends[381] and events from history such as the crusades.[382]

Similarly, when General Allenby proudly entered Jerusalem on 9 December 1917 following his triumph over the Ottoman forces, he profited from being considered "the conqueror of the lands of the Bible",[383] while some of his soldiers saw themselves "as modern-day

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[380] Jarrett Murphy, 'Bush, Napoleon and the Crusades', *CBS News* (www.cbsnews.com; USA, 2009).

[381] For details of what president Jacques Chirac revealed about his conversation with President Bush while the latter was trying to convince the former to participate in the Iraqi War in 2003, see Andrew Brown, 'Bush, Gog and Magog', <http://www.guardian.co.uk/commentisfree/andrewbrown/2009/aug/10/religion-george-bush>, accessed 15-1-2012 2012.

[382] Alan Woods, 'George W. Bush and the Crusades ', *In Defence of Marxism* (www.marxist.com International Marxist Tendency, 2003).

[383] Roberto Mazza, *Jerusalem: From the Ottomans to the British* (London & New York I. B. Tauris Publishers, 2009). p. 125

crusaders".[384] At the same time, churches in Britain and many people around Europe celebrated Allenby's control of Jerusalem, seeing his victory as the most important event for 730 years after the Muslim triumph of expelling the Crusaders from the city in 1187.[385] By the same token, Allenby was hailed in the American press as Richard the Lion-hearted who had finally won the Crusades and ejected alien 'others' from the Holy Land.[386] Thus, this common understanding among politicians and public alike indicates the importance of culture and identity in fuelling tensions in certain areas and strengthening motivations towards conflict.

Similarly, memories of the major battle of Kosovo in 1389, in which Serb forces were miserably defeated by the Ottoman Empire and its local alliances, were underlined in 1989 by Slobodan Milosevic, the Serb strongman, on the 600th anniversary of the battle, promoted by the full panoply of the Serbian Orthodox Church. As is well-known, this exploitation of history resulted in a savage massacre of Kosovar Albanians in 1999.[387] By the same token, according to Christopher Catherwood, Arabs still remember the 'betrayal' by the West, represented by Britain and France, at the beginning of the twentieth century when the latter denied the promises made to Husain Bin Ali by Sir Henry McMahon. However, this feeling of betrayal, exemplified in the Sykes-Picot Agreement in 1916, the subsequent Balfour Declaration in 1917 and hence the creation of the Israeli state in 1948, remains constantly in the background of the relationship between the Arabs and the West, particularly Europe.[388] Thus, in times of conflict, the conventional societal mind-set clearly takes into account factors that seem, prima facie, to be hidden in remote history or already buried.

Therefore, it is not difficult to find out that relationships between major actors in today's politics can be traced back to the deep past, where such matters are rooted even if they are not superficially apparent at a glance. Although some scholars do not believe in the cycle of history, others are convinced that history repeats itself[389] and can have international repercussions just as much as on-going politics, if not more so. It is noticeable that those

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[384] Pat Walsh, 'Ireland and the Last Crusade', *Irish Political Review* (http://www.david-morrison.org.uk, 2007). See also David R Woodward, 'The Middle East During World War One', *World Wars* <http://www.bbc.co.uk/history/worldwars/wwone/middle_east_01.shtml>, accessed 20-1-2012 2011.

[385] Walsh, 'Ireland and the Last Crusade'.

[386] Noam Chomsky, 'The Imperial Way: American Decline in Perspective, Part 2', <http://www.guardian.co.uk/commentisfree/cifamerica/2012/feb/15/imperial-way-american-decline-noam-chomsky#start-of-comments>, accessed 1-5-2012 . Also see Anthony Bruce, *The Last Crusade: The Palestine Campaign in the First World War* (London: John Murray, 2003).

[387] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 119

[388] Ibid. p. 172

[389] Hanna Tuominen, 'Ethical Power Europe?', *International Relations,* 9 (2010), 11.9.

who believe in the cycle of history and its imprint on present-day politics seem to present more compelling justifications than their counterparts. Strikingly, when looking at the rhetoric used by leaders to justify their deeds (and sometimes crimes), it is often difficult to ignore the obvious impacts that can be caused by reviving memories with the tools for digging into history. Thus, the thin and sometimes invisible line that links the past and the present continues to affect actions undertaken in politics as is clear from the examples noted above.

Unfortunately, in times of conflict it is often customary to recall many experiences from the past to prove their presence in difficult situations, whereas some of these remembered historic events are unlikely to be forgotten or ignored. Effectively, their heavy shadow remains to accompany present politics; however, politicians or intellectuals typically attempt to conceal them. Proportionally the difference becomes how much emphasis could historically have been given to this event or that. For example while Bin Laden typically tried to call the Crusades into the present in his attempts to interpret what had been done by American forces in Iraq and Afghanistan, Bernard Lewis was convinced that Arab and Islamic sentiments did not go back to such early times but reverted no further than the beginning of the nineteenth century, with the fall of the Ottoman Empire and the onset of imperialist interference in the ME.[390] According to Lewis, what made the crusades matter in our own time was not the perceptions of Muslims in the Middle Ages, but the perception of those in the nineteenth century and later, when Christian Europeans started again to invade the Dar al-Islam and finally gained the upper hand.[391] This notion was not accepted by Edward Said who considered that Western perceptions of the Islamic East were rooted in the Western culture and in some of its manifestations even referred to the Middle Ages, as highlighted in his argument about Orientalism.[392] Thus, even if some scholars attribute some of today's politics to Medieval History and others refer to modern history, it is absolutely clear in both cases that the cycle of history plays significant roles in framing politics and designing actions and reactions.

Studying the EUFP towards Hamas should be consistent with the historical context within which relationships of this kind between the West and the ME have developed. Indeed, the conflictual relations and tensions that are typically defined in this case and are full of

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[390] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 107
[391] Ibid. p. 107
[392] Ibid. p. 146 and see, Said, Edward (1979), *Orientalism* (New York: Penguin Group). p 61-70

scepticism and tension cannot be observed without looking at perceptions of the relationship with the East that to a considerable extent have governed actions and policies over past centuries. Europe undeniably "...has a complex set of historical legacies, close economic, social and political ties, and deeply embedded fears and security concerns that define and characterize its overarching relationship with the 'classical' ME."[393]

Therefore the problem, as underlined by Edward Said is that "the West portrayed the ME as the 'Orient', but more importantly as the exotic and alien 'other', an altogether different place from the West."[394] For socio-political, economic and religious considerations from the Crusades up to the present, this alien 'other' has been an objective for subjection. Between the two points of history many substantial landmark events, wars, and crimes have happened and have heavily influenced inherited feelings and attitudes between the two arenas of the powers concerned, either within the elite or among the public. This has caused tensions and poisoned relations between the two counterparts (the West and the 'exotic other' represented by the Islamic East), that have been experienced in significant political events or positions whenever history might be able to offer proof for this or that part of a conflict. Consequently, calling on history, even infrequently, does not negate its consistency in affecting people's positions and trends over time. Rather, it indicates, particularly in the case under investigation, the significance of revisiting history in order, among other things, to scrutinize certain current EU policies in the ME, including the EU's position towards Hamas.

Tension between Memory and History in the East-West Debate
With the coming of Mohammad as a prophet in the Arabian Peninsula, the face of the Arab region changed and many repercussions echoed through the old world. Fundamentally, he and his successors were able to build a united empire over a vast area while at the same time defeating two significant empires; the Persian and the Byzantine. In 638 CE, Caliph Omar entered Jerusalem, the third holiest city in Islam after Mecca and Medina, and ended the reign of Byzantium in this particular territory. Because Byzantium persecuted not only adherents of non-Christian faiths, but also those who did not follow their specific version of Christianity, "Jews and Christians [...] warmly welcomed Omar into Jerusalem, glad that Byzantine

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[393] Roland Dannreuther, 'The Middle East: Towards a Substantive European Role in the Peace Process? ', in Roland Dannreuther (ed.), *European Union Foreign and Security Policy Towards a Neighbourhood Strategy* (London & New York: Routledge, 2004). p. 151

[394] Cited in, Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 146 For details see; Said, Edward (1979), *Orientalism* (New York: Penguin Group). p. 71-2

tyranny was over."[395] At the same time, differences arising among the populations of the Byzantine Empire, which extended over a vast area of Europe as well as the Levant, weakened the Empire that gradually receded, losing substantial territories in Europe after being further weakened by the new Islamic Empire. From that time onward, Europe was fragmented, remaining a dis-united political entity until Charlemagne, or Charles the Great, king of the Franks, became ruler. Meanwhile, the growing Islamic Empire became great and powerful and appeared to be controlling the political scene throughout the old world.

The first attempt to unify the remnants of the Western Roman and Germanic strains in one coherent state was undertaken by Charlemagne, who in 800 CE was crowned the first Christian Emperor since the collapse of the Western Roman Empire 300 years earlier. Accordingly, he joined the Germanic and other lands with the Roman lands of Italy to form the Holy Roman Empire under which, for the first time, European states were united in leadership and policy. Understandably, this new situation witnessed fluctuations in size and in power over the next millennium, being gradually broken down into independent or invaded states. These fractions in Europe in fact persisted until the second unifying mission that was attempted by Napoleon in 1806.[396]

Not long time after Charlemagne had built his Empire, eleventh century Europe began its efforts to conquer the Islamic East, in particular the Levant. Although there were many obvious differences and rifts among the invaders, these internal European problems were put aside while the West attempted to control Jerusalem and the surrounding areas. Hence, Europe launched its expeditions against the Islamic world under the banner of the Crusades, which served to unify them as well as to align the Eastern Byzantine Empire with them as well.[397] This was another chance to unify Europeans in the face of the 'other'. Even if the Eastern Byzantines were politically different,[398] as Christians with a mission to invade the Islamic East, particularly Jerusalem, their expeditions succeeded in deepening the rift between the Islamic East and the Christian West for a considerable length of time, introducing themselves as those who followed Charlemagne's unifying steps for all of Europe.[399]

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[395] Ibid. p. 98
[396] Benson (ed.), *History Behind the Headlines the Origins of Conflicts Worldwide*. p. 115
[397] Derek Baker (ed.), *Relations between East and West in the Middle Ages* (Edinburgh: Edinburgh University Press 1973). p. 9
[398] Ibid. p. 2
[399] Alastair Crooke, *Resistance the Essence of the Islamist Revolution* (London: Pluto Press, 2009). p. 10

However, these expeditions had a profound effect on people in the targeted region. They have been described as brutal, savage, and aggressive attacks against non-fighting Eastern people; even so these crimes were not representative of Christianity as a religion; "the true brutal face of Christian Europe was seen in the bloodthirsty escapades known as the Crusades which represented the terrible wars between Europe and Islam"[400] that continued for around 200 years. Thus, following the Islamic conquest of the city of Jerusalem, for example, while people from various religious backgrounds had found a peaceful home in that city for the next six centuries, this was ruined when "the Crusaders came from the West and slaughtered its inhabitants – Jews, local varieties of Christians, and Muslims – all alike."[401] Because of these actions "the crusades have rooted both anti-Semitism and demonization of Islam deep into the European psyche." [402] Consequently, the so-called 'holy wars' (or Wars of Religion) during that period and subsequently the triumph achieved in Jerusalem were regarded, in the words of Alastair Crooke, as "Christian rediscovery of a new 'self' – and the consequences that flowed from it still shape the world in which we live today."[403] According to Crooke, "the Muslim had from the eleventh century been firmly established as the Christian 'enemy', and as such was both necessary and integral to the emerging identity of western Christendom."[404]

On the other hand, although the Crusader occupation of Jerusalem and the rest of the Islamic region lasted around 200 years[405] Muslims ultimately triumphed, with the conquest of Asia Minor, the Balkans, and Constantinople itself in 1453.[406] This Islamic triumph allowed the Islamic Empire to grow until, following the era of the Crusades, it found itself capable of threatening the West. Therefore, from 1526 onwards the Ottoman Empire, which had significantly grown, started its plans to conquer Europe which was no longer sufficiently united or powerful enough to defend its boundaries against the Ottoman forces. Thus, many countries in Europe, such as Hungary, Greece and Romania, were conquered by the Ottomans whose forces stopped only at the borders of Vienna which was threatened twice by them.[407]

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[400] Woods, 'George W. Bush and the Crusades '.
[401] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 99
[402] Crooke, *Resistance the Essence of the Islamist Revolution*. p. 10
[403] Ibid. p. 10
[404] Ibid. p. 17 also see Said, Edward (1979), *Orientalism* (New York: Penguin Group). p.59-60
[405] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 107
[406] Baker (ed.), *Relations between East and West in the Middle Ages*. p. 7
[407] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 124

These Ottoman attempts to control Europe also worsened relations between the Islamic East and the West and fuelled European fears of the strong Islamic world. Indeed, even if these wars launched against Europe came long after the Crusades, in Western eyes such Ottoman expeditions were both offensive and unjustifiable. Thus, the relationship that had been built upon conflicting identities of Islamic East and Christian West worsened over time. Indeed, although "the era of European rule in the ME was over until 1917, when the British under General Allenby recaptured Jerusalem",[408] the Crusader massacres, along with other wars and events over the following centuries between the Eastern Islamic world and the western Christian world (e.g., the French campaign against Egypt and the Levant during 1798–1801), raised tensions equally in the politico-cultural atmosphere between people on both sides. In effect such tensions became part of their history and collective cognitive psychological construction that is typically felt in times of conflict rather than times of peace.

Interestingly, after the 2001 attacks on the US, there seem to be a tendency for Western countries to defend the Crusades as a reaction to the identity of those who had carried out these attacks; this simply hardened the already shaky relations between Islamic East and the West, and their suspicious legacy.[409] Consequently, ever since the era of Charlemagne, the Eastern and Western regions of the Mediterranean have witnessed wars, massacres, and political and cultural clashes, which have left their mark on conflict management on both sides up to this time.

European Colonization of the East and the Most Enduring Tension; the Establishment of Israel

The decline of the Ottoman Empire after its failure to take Vienna for the second time in 1683,[410] and the subsequent loss of its conquered areas in Eastern Europe, encouraged the European countries to overcome the 'sick man of Europe'.[411] In this way, the era of colonization, launched by Napoleon Bonaparte of France in 1798, began to take hold in the Islamic regions for the second time since the Crusades. This was exemplified in the invasion of Egypt and simultaneous attempts to capture the Eastern Mediterranean. However, Napoleon failed to retain control of the invaded areas, and he and his European successors were portrayed in the Islamic world as the new crusaders who sought to seize their Islamic state and their lands. Even if their motivation might have been different from the Crusaders,

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[408] Ibid. p. 104

[409] Ibid. p.104

[410] Ibid. p. 145

[411] The phrase was used to describe the Ottoman Empire during its period of decline, and has been used subsequently to describe many other European countries in a similarly deteriorating state.

the thin line between the two periods has disappeared in favour of accusing Europeans for their deeds and behaviour against the Islamic regions. As Catherwood mentioned, "the deeds of a band of West European soldiers at the end of the eleventh century has come back to accuse us, and now to our permanent disadvantage [sic]."[412] Indeed, this claim was reinforced by the European colonization of other Islamic countries, such as Algeria which was occupied by the French in 1830, and Aden which was occupied by the British in 1839. These two occupied areas fell in the hands of the new colonists, who successfully continued their attempts to seize other Islamic countries, including Egypt, taken by the British in 1882, Tunisia and Morocco taken by France in 1881 and 1912 respectively, and Libya taken by Italy in 1911.[413]

With regard to the relationship between the Christian West and Islamic East, the Ottoman collapse in WWI formed a significant milestone in modern history. Basically, according to Western scholars, this development was "the key to the shape of today's Middle East", particularly as the aims of one of the Islamic groups in the Muslim world is the restoration of the Islamic Caliphate which had accompanied the Sultan's title throughout the Islamic era.[414] While some of these groups express their desires in an extreme fashion, others are more moderate in revealing their aspirations, as could be seen through their continuous rhetoric. Moreover, as a result of the demise of the Ottoman Empire, most of what are now known as the 'Arab countries' fell under direct European rule, in the form of the British and French mandates, at the beginning of the twentieth century.

Accordingly, the Arab World from the Arabian Sea in the East to the western coast of the Atlantic was under direct European control, since the aim was to prevent this region from coming to power ever again; were this to happen it might again threaten the European states as had happened with the Ottoman Empire before it was stopped at the gates of Vienna. In practice, this European colonization was harsh; it has also left a damaging socio-political legacy amongst the peoples of this colonized region. Significantly, the Europeans were able to divide the area into fragile pieces called states or emirates under the common banner of 'divide and rule'. Generally speaking, this has been widely perceived as a conspiracy to target Arab lands and wealth; it has also left miserable memories in terms of murdered and tortured people and devastated villages and homes caused by the policies of the European colonists:

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[412] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 108
[413] Ibid. p. 140
[414] Ibid. p. 154

"the Arab world felt bitterly against the West and against what they regarded as imperialistic interference by Western powers in their internal affairs."[415] On the whole, while the Europeans were able over many years to defeat the Ottomans and to seize Arab land, they failed to build bridges with local populations apart from showing the spirit of hegemony that has continued in one way or another to direct their actions and reactions.

Fundamentally, European imperialism at the beginning of the twentieth century was the major factor underlying the tense relations with the Islamic East. In reality, one of the circles in the series of conflict was the UK's treachery towards Sharif Hussein who had been promised the gift of a united Arab state after defeating the Ottomans in WWI. This promise, which was delivered by Sir Henry McMahon in what is historically known as the McMahon-Hussein correspondence, was never fulfilled by the British. Instead, Britain, France, and Russia signed a secret agreement according to which these countries would take over much of the Ottoman Empire and rule it themselves. This agreement, known in terms of its content as the Sykes-Picot plan, decisively contradicted all the promises given to Hussein. Regardless of the perspectives and ambitions of the peoples of the Middle East, the region was fragmented according to the needs of the great powers and of course against the UK's promises to Hussein.

Meanwhile, the peoples of the region were forced into colonies, protectorates and mandates "which were structured for them and contributed to the emergence of an ideology among [them] that denied the validity – particularly the moral validity – of these results."[416] By the same token, there was no longer room for "Hussein's wishes or for anything that he thought that the British High Commissioner in Egypt, Sir Henry McMahon, had promised him."[417] As Catherwood points out, "this was old-fashioned imperialism of the worst kind", by which the UK and France caused damaging impacts on future relations between the Christian West and the Islamic East.[418] Indeed, Sykes-Picot has become a very telling and unforgettable example of "Western imperialist treachery towards the Arabs", many of whom "felt betrayed at the time, and have continued to feel aggrieved ever since."[419]

Understandably, having been fragmented in the nineteenth and twentieth century, such

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[415] Ibid. p. 198
[416] B.A.Roberson, 'Introduction', in B.A.Roberson (ed.), *The Middle East and Europe the Power Deficit* (2 edn.; London and New York: Routledge, 2005a). p. 4-5
[417] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 169
[418] Ibid. p. 169
[419] Ibid. p. 171

feelings of anger and hurt among Arabs also stemmed from the reality of being interrupted in a developing socio-political context that owed its main characteristic to being part of the Ottoman Empire. This context included "open trade, commercial flows, and relatively easy movement of peoples within the same basic framework of law – the Shariʿa and Ottoman *kanun*",[420] and was disrupted by those colonials who occupied the region after WW1, carving it up into feeble entities called 'countries' or similar. Furthermore, these 'pieces' or 'countries' were dominated and run by rulers and governors who, having been brought to power mainly by Britain and France, were mostly backed by the West. Accordingly, these European powers are often perceived locally as helping to shore up regimes of dubious legitimacy; a matter that has contributed to deepening the tension between these forces and the peoples of the ME.[421] Commenting on the consequences of Western colonization of the Islamic East and the socio-political context from which peoples of the region were uprooted, Barbara Roberson notes that

> it had been the practice of Muslims to live in any part of the Islamic world, not just their birthplace and to do so with psychological ease. This historical legacy has bequeathed a sense of unity, of relatedness, connectedness, cognition of mutuality, of shared fundamental values and shared attitudes to authority, government and legitimacy. This has produced a peculiarity in the region that is not overcome by the brief span of the mandatory period. There is a sense of something interrupted rather than of a natural social and political evolution into the modern era. More specifically, there is a sense of social development fractured, of political development hijacked, producing a psychological unease with the present over and above deteriorating economic conditions and the need to find the centre again—an Islamic society or some version of it—that would lead to some modicum of control over their situation. This has formed the psychological base for the social discontent that has contributed to the rise of political Islam and the pressures for political and economic reform.[422]

This feeling which has accompanied inhabitants of the Arab region as a result of their ambitions having been ignored for a long time by European colonials, has failed to bequeath a common ground of perspectives between the West and the Middle East that can bridge the gap caused by the era of colonization. Ultimately, nostalgia for unity and national dignity, of which the Arabs were deprived during the colonial time and beyond, has been a motivating factor for overcoming the realities imposed on them by the colonizers, and for restoring their significance in modern history.

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[420] B.A.Roberson, 'Introduction'. p. 5
[421] Nonneman, 'The Three Environments of Middle East Foreign Policy Making and Relations with Europe '. p. 30
[422] B.A.Roberson, 'Introduction'. p. 5-6

Additionally, what has increasingly tarnished this relationship between the two socio-political regions was what happened after the Sykes-Picot Agreement, particularly towards Palestine. The Balfour Declaration on 2 November 1917, which was stated in a public letter addressed to Lord Rothschild,[423] himself Jewish, is one of those inflammatory factors that has considerably worsened the political situation in the ME. According to Arthur Balfour, the British Foreign Secretary, the Jewish people had the right to build their state in Palestine,[424] and the British would support them in achieving this target and facilitate their migration to the new land accordingly. Britain, as the mandatory force on the ground, and the new Jewish settlers ignored the political rights of the indigenous people, and firmly suppressed them, backed by Lloyd George, the British Prime Minster who, for socio-political and religious reasons, strongly believed that the construction of Jewish statehood was essential.[425] Even though this promise was "completely incompatible with the earlier pledges made to Hussein",[426] and contradicted Sykes-Picot, Britain persisted with its project and assisted the Jews to migrate to Palestine on the basis of Balfour's declaration and the subsequent statement of mandate by the League of Nations.[427] Understandably, this new English policy, which was supported by other Western countries, was not accepted by the Palestinians and the Arab countries, and their resistance against British rule and the Jewish settlers continued until the establishment of Israel in 1948,[428] the year which began a new era of conflict. Overall, a great sense of the Western countries' betrayal arose in the Arab World as a result of this declaration, and has had a damaging effect on the Middle East ever since.[429]

With the establishment of the state of Israel, political and ideological tension between the Christian West and the Islamic East increased dramatically and reached a peak.[430]. As is commonly known, this result would not have happened without the obviously partial policies adopted by the British Mandate, especially those policies which were related to Jewish immigrants, and allowed them to build the institutions of a Jewish state in Palestine.[431]

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[423] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 172
[424] See, UK, 'Memorandum About Palestine and Balfour Declaration', in Secretary of State For Colonies (ed.), (CAB/24/158: The National Archive, Jan 1923).
[425] See, Philip. Guedalla, *Napoleon and Palestine / with a Foreward by Israel Zangwill and an Afterword by David Lloyd George* (London: Allen & Unwin, 1925). p. 48-52
[426] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 172
[427] UK, 'Memorandum: The Situation in Palestine', in The Secretary of State for The Colonies. (ed.), (CAB/24/125: The National Archive, June 1921).
[428] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 180
[429] Ibid. p. 172
[430] See; Benson (ed.), *History Behind the Headlines the Origins of Conflicts Worldwide*. p. 326-328
[431] See, UK, 'Memorandum About Palestine', in Secretary of State for Foreign Affairs and the Secretary of State for The Colonies (ed.), (CAB/129/22: The National Archive, 3rd Dec 1947), 150-60.

Indeed, building this state on another people's land and causing the problem of Palestinian refugees, without having solved it even after 60 years, has exacerbated the crises between the parties who are involved in this dilemma.

Through their policies in the ME before and after the establishment of the state of Israel, the UK and France "became the undisputed external actors" who had created, and to a great extent fostered, this entity.[432] In other words, the East-West tensions which have deepened over time as a result of the colonial era and, "...most enduring, the Palestinian people's homelessness have hardened the roots of the conflict and turned the region into a battleground for international economic and political interests."[433] Significantly, "a feeling arose that Israel was the creation of Western imperialism",[434] and this deepened the rift in the relations between 'the colonials and the colonized' in the East. Even so, this Arab-Israeli conflict developed exponentially as a result of the decision on 29 November 1947 by the United Nations to divide Palestine; this must be understood in light of the roots of the history of the ME and the sequence of events over time, which paved the way for all developments after that date.[435] This is how the Palestine-Israel conflict has become one of the most complex struggles in contemporary history, having involved the two superpowers in the Cold War era and automatically aligned the rest of the world beside one of the two poles of the conflict.[436]

Subsequent events and wars in the ME have undoubtedly deepened scepticism between the Western community and the Arabs too. Wars in 1948, 1956, 1967, 1973, 1982 and 2008 provide significant evidence of the prejudicial policy that has been followed by the West, i.e., the US, the UK, France, and eventually the EU, as experienced by the Arabs and Palestinians. Some of these powers sided with Israel in its war against the Arabs, as in 1956, while most have backed Israel, either militarily or economically and diplomatically. Despite dozens of international resolutions issued by the UN, Israel remains reluctant to accept them, and international society is still unable to compel Israel to respect what has been voted upon internationally. As commonly interpreted in the Arab world, this Israeli intransigence is considered a standard outcome of Western support for Israel, either directly or indirectly. Therefore, given that the West, including the EU, has not followed any serious policy to

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[432] Dannreuther, 'The Middle East: Towards a Substantive European Role in the Peace Process? '. p. 151
[433] Melissa Hill (ed.), *Dictionary of the Israeli-Palestinian Conflict Culture, History, and Politics* (1: A-J USA: Macmillan). p. Vii
[434] Catherwood, *A Brief History of the Middle East from Abraham to Arafat*. p. 197
[435] Hill (ed.), *Dictionary of the Israeli-Palestinian Conflict Culture, History, and Politics*. p. vii
[436] Ibid. p. vii

prevent Israel from going too far in what, from the Palestinians' point of view, are its devastating policies, the Palestinians, unsurprisingly, are entirely sceptical towards the EU and the West in general.[437]

To summarise, against its inability to solve the problem, which was basically caused by European countries, or the lack of a genuine desire to do so, the EU has confined its role regarding the Arab-Israeli conflict to reshaping the Palestinian structure to acknowledge the existence of Israel state in secure and recognized boundries, in addition to the tension-reducing and fire-extinguishing policy. These policies are proved to have failed in meeting or overcoming the challenges and repercussions caused by Europeans in the region over time; a matter that mirrors their failure to build stable relations with Arabs based on solving the conflict that they began in 1948. Thus, as has been clearly seen, the European legacy and thereby the tensions of East-West relations were inherited from the impact of history, which has bequeathed substantial and serious consequences for the region, both physically and psychologically.[438] Accordingly, EU-Hamas relations have been affected by this legacy of scepticism and tension; European mind-sets perceive the Middle East as an area which is to be shaped in a controllable way, while Hamas believes that the Western countries are totally involved in the Israeli-Palestinian conflict and that their role has never been neutral.[439] As such, the hegemonic European mentality affected by its attempts over time to shape and reshape the 'other' in accordance with its interests, is still thinking of shaping and reshaping, *inter alia*, Hamas's choices through enforcement if persuasion no longer works. Thus, psychological factors built on history, ideology and politics cannot be underestimated or sidelined while analysing socio-cultural and political backgrounds of the EU decision-making process towards such a movement.

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[437] Larbi Sadiki, *Rethinking Arab Democratization : Elections without Democracy* (OUP Oxford, 2009). p. 265
[438] B.A.Roberson (ed.), *The Middle East and Europe the Power Deficit*. p. 4
[439] See Hamas, 'Hamas Charter', (1988). Art.22

Section Two: The Functionality of the EU in a Middle Eastern Context

The Middle East has undoubtedly been important for the European countries over a very long period of time, not only because of the historical links between Europe and the ME as discussed in the first section, but also due to current European interests in this rich but volatile area.[440] According to the EU presidency conclusions in 1992, "instability is a permanent feature of this region", and was therefore a matter that affected both the Union's interests and international security.[441] This point of view had also been expressed earlier, in a memorandum from the UK Prime Minister's Office in 1960; the UK's perception was that the ME would "remain unstable". Because of this, "it is impossible to say how it will develop; so many different forces are contending for power both within each country and between the various countries of the area",[442] which implied that the region would need to be dealt with in an exceptional way by outsiders. However, relationships between the EU and this volatile ME are influenced by numerous factors which affirm the vitality of the latter in terms of the EU's concerns, and reflect the sensitivity of events and developments which might take place in this area. These factors range mostly between substantial economic interests and regional security demands, centred in the neighbouring Mediterranean.[443]

Economically, the Middle Eastern countries, including the Arabs, are the largest market for European exports and constitute the biggest supplier of imports to the EU.[444] With increasing demand for Middle Eastern oil all over the world, this strategic product remains the dominant commodity without which the wheels of the world's industry would cease to turn. From a Western perspective, the fact that about "48% of the world's proven oil reserves[445] are in the Persian Gulf (16 % in Saudi Arabia alone), and well over 32 % of the world production is in

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[440] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 43-44

[441] EU, 'Presidency Conclusions 'Lisbon Report'', in European Council (ed.), (SN 3321/1/92; Brussels 26-27 June 1992). See also how the EU has defined its interests in Middle East in the same resource.

[442] UK, 'Memorandum; Future Policy Study 1960-1970', in UK Prime Minister Office (ed.), (CAB/129/100: The National Archive, 29th February, I960). p. 32

[443] Alain Dieckhoff, Vitaly Naumkin, and Anthony H. Cordesman, 'The Role of Europe in the Middle East ', *Working Paper of European Security Forum* (No.7; Brussels: ESF, June 2002). p. 6

[444] See; Allen and Pijpers (eds.), *European Foreign Policy-Making and the Arab-Israeli Conflict* p. 242-243

[445] 'Proved reserves of oil' – the phrase is generally taken to refer to those quantities of oil "that geological and engineering information indicates with reasonable certainty can be recovered in the future from known reservoirs under existing economic and operating conditions' as mentioned in Bp Statistical Review of World Energy (2012), <http://www.bp.com/assets/bp_internet/globalbp/globalbp_uk_english/reports_and_publications/statistical_energy_review_2011/STAGING/local_assets/pdf/statistical_review_of_world_energy_full_report_2012.pdf>, accessed 20 March 2013 p. 6

the Middle East", is what makes this region of significant interest.[446] In fact, "the Persian Gulf's share of total exports is projected to exceed 67% by 2020",[447] and this reality alone assures the importance of any and every event that might affect the flow of oil to Europe and the rest of the world. Despite all attempts to discover alternatives to oil, in this regard the world is still at the beginning of a long and uncertain journey, a matter which also makes the ME a focus of special European interest.[448]

Alongside, and linked to, the economic interests of the EU in the ME are security matters, which are a substantive requirement for stability and peace as a guarantee of the security of the region's strategic interests.[449] These security demands are considered a milestone for stable relationships and assurance that developments in the ME will have minimal negative impacts on Europe. Consequently, the West and the EU in particular, has no choice but to neutralise threats coming from the region "proliferation of weapons of mass destruction and means of their delivery, 'religious extremism' and international terrorism, the smuggling of drugs, weapons, uncontrollable population migrations etc."[450] which can affect the future of the EU's daily life.

At the same time, the existence of Israel in the ME and what is labelled as the Arab-Israeli conflict that is considered "a key problem for all international players in the region",[451] make it inevitable that the EU member states must do as much as they can to control the general situation in the region because of its direct and dangerous influences on relations between the Arab countries and Europe.[452] According to a memorandum in the British archive, the Arab-Israeli conflict has been always perceived as "a permanent source of danger to Western relations with the Arabs"[453] which jeopardises Western interests in the ME. Likewise, according to the EU, this conflict needed be solved for the ME to be secure and appropriately controlled. Due to its significant proximity to Europe as considered the rear gate of this continent, the ME is a very important area in terms of its role in achieving safety and stability of the European house as confirmed by the EUSR to the Middle East peace process Marc

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[446] Ibid.

[447] Dieckhoff, Naumkin, and Cordesman, 'The Role of Europe in the Middle East '. p. 11

[448] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 43-44; also Rory Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967* (London: Hurst & Company, 2011). p. 37

[449] UK, 'Memorandum About the Middle East', in Secretary of State for Foreign Affairs (ed.), (CAB/129/120: The National Archive, 24th March, 1965). p. 7

[450] Dieckhoff, Naumkin, and Cordesman, 'The Role of Europe in the Middle East '. p. 6

[451] Ibid. p. 6

[452] Allen and Pijpers (eds.), *European Foreign Policy-Making and the Arab-Israeli Conflict* p. 242-243

[453] UK, 'Memorandum; Future Policy Study 1960-1970'. p. 8

Otte.[454] More recently the German President, Johannes Rau, asserted in his speech to the Israeli Knesset that without stability in the ME, a prosperous and peaceful future for Europe is unlikely to be achieved, since "no one can live a quiet life if his neighbours are threatened with political and social insecurity".[455] Thus, mutual common economic and security interests have contributed closely to building the EU's vision of the ME, on the basis of which the EU functioned in that geopolitical area, developed its allies, and defined its enemies.

As discussed in Section 1, up to the 1960s the roots of the EC's policy towards the conflict could be detected largely through the policies of the main European players – mainly the UK, France and Germany. However, the following decades have become equally important for understanding the extent to which the EU's current strategy towards the Middle Eastern conflict is linked to previous European policies. According to some observers, the guidelines and principles of today's EU policy towards the Arab-Israeli conflict began to take shape during the 1970s with the introduction of the EC's foreign policy instrument, the European Political Cooperation (EPC), which started to function in the ME in 1970.[456] Until then the EU member states had lacked a collective policy towards the conflict but the EPC offered an adequate response to major challenges such as the Six-Day War in 1967 and its subsequent consequences.

However, during the 1950s and 1960s the EU member states continued to act individually in the international arena as well as towards the Arab-Israeli conflict, but despite several attempts to build a common foreign policy they were reluctant to embrace the idea, preferring to make their own decisions on foreign affairs issues. In this respect, the European countries had sided with the Israeli state against attempts by the Arabs and Palestinians to delegitimize it in the international society.[457] In 1956 the UK and France, together with Israel, embarked on the Suez War against Egypt, building a strong alliance against their common enemy represented by the Arab nationalist strongman Jamal Abdul Nasser.[458] Although they did not achieve their goals from the war, the UK and France continued to give political, diplomatic

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[454] Author's Interview, 'Marc Otte', *European Union's Special Representative to the Middle East peace process between 2003 and 2011* (Brussels, 9 July 2012).

[455] Johannes Rau, 'Speech in the Knesset by the President of Germany, Johannes Rau ', (Jerusalem: Israeli Knesset, 16 February 2000).

[456] Dannreuther, 'The Middle East: Towards a Substantive European Role in the Peace Process? '. p. 154 & Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 25-26

[457] European Countries voted, for example, against the UNGA resolution that considered Zionism as a form of racial discrimination. See UNGA, 'Elimination of All Forms of Racial Discrimination', (A/RES/3379 (XXX), 10 November 1975).

[458] David Newman and Haim Yacobi, 'The Role of the EU in the Israel\Palestine Conflict ', (EU Border Conflicts Studies, ; Beer Sheva: Department of Politics and Government ; Ben Gurion University, 2004). p.2

and military support to the Israeli state in the ME at the expense of Palestinian political rights.[459] In addition, Western public opinion had considerable sympathy for Israel, the nascent Jewish entity that had been generated from the devastating wars in Europe in which Jewish people had been major victims.[460] Thus, the policies of the European countries during the 1950s and 1960s, supported by sympathetic public opinion towards Israel, represented a significant basis upon which the EPC's collective policy towards the Arab-Israeli conflict could be shaped.

Individuality of action and reaction to the Arab-Israeli Conflict and the Unified Policy Ambition

Any analysis of the EC's policy towards the Arab-Israeli conflict should take into consideration the international changes that occurred in the ME from the beginning of the second half of the 20th century. The US attitude to the ME, in the context of the Cold War, now started to play a part. In the wake of the Suez War, that marked the decline of the British and French interest in international affairs, the US came on the scene to fill the vacuum, and was able to build up a substantial relationship with Israel, which it regarded as the first line of defence in the face of the expansion of Communism and a major guarantor of Western interests in the region in times of crisis.[461] Significantly, and because of the limited instruments at the disposal of the six EC member states, the Europeans were happy with this US policy, which on the one hand reduced their international responsibilities, and on the other constituted a guarantee for the security of their own interests.

Given the European role in establishing Israel in 1948, the EC member states and the rest of the European countries continued to protect and foster Israel's new statehood with all possible means while the Arab states were leading a campaign in the world to correct "the historical European mistake"[462] by which an alien state has been manufactured on another people's land called Palestine. This campaign was accompanied by much propaganda from the Arab leaders who used many words, although fewer acts, against Israel; a matter that created an impression that an "existential threat" might be available against the Jewish

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[459] For example, "between 1955 and 1965, almost half of France's total arms exports went to the Jewish state." Moreover, France agreed with Israel to build a nuclear reactor which ultimately enabled the Israeli state to own a nuclear bomb. See; Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p.10-11

[460] Alfred Pijpers, 'The EU and the Palestinian Israeli Conflict: The Limits of the CFSP ', (Netherlands Institute for International Relations 'Clingendael', September 11, 2007). See also Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p. 12-13

[461] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 30

[462] Author's Interview, 'Usama Hamdan', *Hamas International relations Commissioner* (Turkey, 15 December 2012).

entity.[463] This led to much European sympathy with Israel as well as a certain feeling of hostility towards its enemies, as represented by Arabs and Palestinians.[464]

Even so, within this strained political atmosphere the EC, formally and collectively, had no common position towards the conflict because of the absence of a joint foreign policy through which these positions could be tackled. As long as the Middle East, in which Israel existed, did not witness any dangerous turmoil or serious disturbances, the EC would continue its policy towards the conflict without major alterations. However, as the economic interests of the EC expanded, any eruption of the conflict, if it happened, could affect the EC's interests in the ME which is regarded as a vital supply artery for life in Europe.

Therefore, without having a parallel political structure through which the EC could respond if necessary, this economically-functioning body was unable to protect its interests. In the event, the outcome of much of what the EC had been thinking about in this regard emerged in 1967 on the eve of the Six-Day War. Meeting at the Rome Summit, the EC representatives found themselves unable even to agree on a statement expressing an opinion as to what was going on between Israel and Egypt.[465] Subsequently, when the war broke out, European positions were found to be widely divergent, with each state adopting a different position from the others and thereby reflecting the extent to which the EC institution was unresponsive and fragile in times of political crisis.

Indeed, this war which was much commented on in the Western media "was not just a crucial turning point in the Arab-Israeli conflict, but...was also the trigger for the European Community to launch a common foreign policy",[466] and, in broad terms, for the initiation of a new European approach towards the whole region.[467] Interestingly, in the absence of a common policy, France and the Netherlands, two EC member states, found themselves taking opposite stands regarding the war; while France was pro-Arab and condemned the Israeli occupation, the Dutch openly celebrated the defeat of the Arab armies.[468] Thus, as a result of inadequate coordination of their positions during the ME crisis in 1967, the six EC member states and particularly France, felt there was a significant need to promote and boost Europe's

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[463] Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p. 28
[464] Ibid. p. 13
[465] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 23
[466] Pijpers, 'The EU and the Palestinian Israeli Conflict: The Limits of the CFSP '.
[467] Newman and Yacobi, 'The Role of the EU in the Israel\Palestine Conflict '. p.3
[468] Pijpers, 'The EU and the Palestinian Israeli Conflict: The Limits of the CFSP '.

international political role. In fact, this would be seen to happen shortly after the war.[469]

In this context the EPC was agreed as the framework in which the European positions towards the Arab-Israeli conflict would be discussed. In practice, it took three years after the Six-Day War before the European states could decide on a statement that would express their collective opinion about elements such as refugees or Jerusalem, since it was necessary for the member states to agree that their deliberations regarding international political issues, particularly in the ME, would be held under the auspices of the EC. Accordingly, after the first EPC meeting in Munich in November 1970 "the ME conflict has been an almost permanent feature of EPC discussions, regardless of the very limited success achieved by the EC in dealing with the matter".[470] Despite the extremely critical situation in Palestine after the war, the EC members, under pressure from France, succeeded only in secretly adopting a joint paper based on UN Security Council Resolution 242.[471] This so-called Schumann Paper was kept behind closed doors, and no further initiatives, agreements or compromises related to the ME conflict were approved until October 1973 when another momentous war broke out between Egypt and Syria on one side, and Israel on the other.[472] Interestingly, the nine EC member states reacted individually, as they had done in the aftermath of the Six-Day War in 1967, which necessitated discussion of this new problem within the EPC framework.[473]

In October 1973, Arab countries triggered a retaliatory oil crisis when the Organisation of Petroleum Exporting Countries (OPEC) rather surprisingly imposed an oil embargo on the West, in varying degrees, by categorizing individual Western states into three groups: hostile, like the US and Netherlands; neutral, like Belgium, Denmark and Germany; and friendly, like the UK and France. Since the stances of the Western countries towards the Israeli occupation and the political rights of the Palestinian diverged significantly, the embargo took these differences into account, thereby causing fundamental internal cracks amongst EC member states and subsequently leading to direct fallouts over the perception of the relationships between the West and Arab countries. Significantly, the differences in the oil embargo policy, were based on a country's positive approach to the whole Arab-Israeli conflict and the extent to which it was close to acknowledging the legitimate political rights of the Palestinians.[474] Thus the EPC frame formed an appropriate tool for use in bridging the gap between member

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[469] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 24
[470] Ibid. p. 26
[471] Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p. 21
[472] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 31
[473] Ibid. p.32
[474] Ibid. p. 32

states over political issues, as would be seen subsequently in the European reactions to the Arab oil producers' embargo.

Accordingly, and under intense pressure by OPEC member states who were exploiting the EC's need for oil,[475] the EC agreed for the first time over issues that favoured Palestinian political rights. In November 1973, and as a result of the oil embargo, a joint Declaration was adopted which mentioned the legitimate rights of the Palestinians and called for the Israeli state to pull out of the territories occupied in 1967. Notably, "in its subsequent efforts to play a mediatory role in the Arab–Israeli conflict, European diplomacy appeared, at least from an Israeli and US perspective, to place its interests in energy security before those of impartial peace making."[476] This matter would affect EC efforts to become, in Israeli eyes, a trustworthy mediator in the conflict,[477] and would enhance the US monopoly of the peace process thereafter.[478] In fact, this shift in the EC's discourse achieved its goals when the embargo on the EC was removed, except from the Netherlands which suffered more than the others from the sanctions.

However, during the 1950s and 1960s, the Palestinian political identity had been ignored and even neglected, to the extent that the West and in particular the EC member states, excluded it from their discourses. Even though the 1947 UNGA Partition Plan in Palestine had implied two states beside each other, one Palestinian and the other Israeli,[479] the 1948 War resulted in the obliteration of the Palestinian identity after fragmenting the Palestinian people and exiling them from their homeland. Surprisingly, their political rights had not been activated in the aftermath of the 1948 war, and none of the Western countries had asked, let alone agreed to stand with the fragmented Palestinians in building their entity in the framework of the international society. Strikingly, the only concern shown to Palestinians in their diaspora was a fleeting humanitarian glance, as was very obvious from Security Council Resolution 242 which did not even mention Palestine or the Palestinians in its content.[480] As a result, they were subject to international assistance and relief in matters concerning their daily lives rather than being dealt with as a people with the full right of self-determination in their homeland. Thus, even if it had happened under pressure from the oil crisis, the EC move toward acknowledging Palestinian political rights was, from the Arab delegates' point of

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[475] Newman and Yacobi, 'The Role of the EU in the Israel\Palestine Conflict '. p.3
[476] Dannreuther, 'The Middle East: Towards a Substantive European Role in the Peace Process? '. p. 154
[477] Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p. 4
[478] Dieckhoff, 'The European Union and the Israeli-Palestinian Conflict ', p. 54
[479] See UNGA, 'Future Government of Palestine', (RES/ 181, 29 November 1947).
[480] See UNSC, 'United Nations Security Council Resolution 242', (22 November 1967).

view, considered a significant, but not in itself a sufficient progression in the right direction.

Following the joint Declaration noted above and the taking of a new step forward, an EC summit was held in Copenhagen which, surprisingly was attended by representatives of the Arab states who delivered the Arab demands as a symbolic move in the effectiveness of the oil crisis. For the first time the EC member states were obliged to admit foreign representatives to their summit which, along with the November 1973 Declaration, provoked resentment and criticism from the US and other states[481] due to the EC's "willingness to submit to Arab demands to escape the oil embargo as viewed by the US."[482] Regardless of this accusation, the Euro-Arab Dialogue (EAD) was launched and was later formalized (in July 1974) to address important issues pertaining to the EC's economic interests and to arrangements that would secure its future relationships with oil-producing countries. Two aspects were considered; a motivating European economic one, and one of a political nature that was needed by Arab countries. While the EC intended to secure its economic interests and was reluctant to acknowledge the political dimension in negotiations, the other party wished to exploit this initiative in its conflict with the Israeli state, believing in the leverage of the EC in the Arab-Israeli dossier.[483]

In other words, in addition to the economic aspects of the dialogue, the Arab countries frankly wanted to convince the EC to acknowledge the PLO as a legitimate representative of Palestinians on the one hand, and on the other to push the EC to minimize its relations with Israel and to pressure the US to stop supporting Israel.[484] Thus, the EAD, before entering into a state of clinical death in 1989,[485] failed to achieve the significant leap in relations that both parties desired; nor was it able to put an end to the "apparent tension"[486] between them. While the EC could only give verbal support to the Arab demands, the Arabs needed the EC to play an actual and an effective role in deterring the Israeli occupation of the Arab territories because of Europe's special ties with Israel. Hence, the pressure applied by OPEC

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[481] Nonneman, 'The Three Environments of Middle East Foreign Policy Making and Relations with Europe '. p. 32; see also Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 34; and Dannreuther, 'The Middle East: Towards a Substantive European Role in the Peace Process? '. p. 154

[482] Dannreuther, 'The Middle East: Towards a Substantive European Role in the Peace Process? '. p. 154

[483] Nonneman, 'The Three Environments of Middle East Foreign Policy Making and Relations with Europe '. p. 32; see also Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 34

[484] Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p. 49-53

[485] Nonneman, 'The Three Environments of Middle East Foreign Policy Making and Relations with Europe '. p. 32

[486] Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p. 49

did at least succeed in prompting the EC to start formulating a new united approach to the conflict based on rejecting the consequences of the 1967 War; however, the policy did not go beyond certain limits until the beginning of the 1980s.

Venice Jump: Declarations in Response to the Continuous Israeli Occupation

The new EC pro-Palestinian and Arab initiatives continued in a noticeable way during the 1970s and up to the 1980s. Commenting on EU statements directed towards the Arab-Israeli conflict, the MEP Kyriacos Triantaphyllides confirmed his belief that the EU had made very good declarations but was fundamentally weak in implementing them.[487] In this regard a further joint statement was issued in June 1977, following other statements adopted in 1976.[488] The most important of these was the 1977 statement in which the nine EC member states reaffirmed that the only path to resolution of the conflict in the ME would be to acknowledge the legitimate rights of the Palestinians, including their national identity and the right to have their own homeland. In addition to endorsing the right of the Israeli state to exist and be recognized, the statement confirmed that representatives of all parties involved in the conflict, including the Palestinian people, should be called on to participate in a negotiated just and lasting peaceful solution, based on Security Council Resolutions 224 and 338 and other principles related to international law which, according to the EC, had assured "the inadmissibility of the acquisition of territory by force".[489]

In this way, the Palestinian cause became a substantial issue, occupying "the heart of the ME conflict" in the framework of a comprehensive peace settlement proposed by the EC, rather than "a process built on bilateral negotiations" as had been the case with the Camp David negotiations between Israel and Egypt in 1978.[490] In this statement, which came as part of a continuous process of development in the EC stance towards the rights of the Palestinians, the EC was fundamentally reconfirming previous statements in this regard and paving the way for the Venice Declaration on 13 June 1980; a declaration which crystalized the EC's position towards the conflict over the next decades.[491]

It is commonly agreed that the Venice Declaration was a significant ground-breaking

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[487] Author's Interview, 'Kyriacos Triantaphyllides', *MEP, Vice-Chair Delegation for relations with the Palestinian Legislative Council* (Brussels, 21 June 2012).

[488] EC, 'Conclusions of the Session of the European Council; Statement on the Middle East', (London, 29-30 June 1977).

[489] Ibid.

[490] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 38

[491] For more details on this see, Sanam Noor, 'European Union and the Middle East: A Historical Analysis', *Pakistan Horizon,* 57/1 (2004), 23-46.

innovation of the EPC whose principles are "still valid for the EU today".[492] Indeed, after the bilateral Camp David Accords between Israel and Egypt had been signed under the aegis of the US in 1979, a feeling of EC interests being ignored or marginalized was generated amongst the nine EC member states, to the extent that some observers considered the subsequent EC initiative as more of a European reaction to the Camp David Accords than a European project.[493] Conventions of this kind, according to the EC, would prolong the duration of the conflict in the region, which in turn would jeopardise Europe's interests and might affect its stability. Therefore, despite the EC's unenthusiastic welcome for the Camp David agreements,[494] it continued to seek a comprehensive settlement through which the conflict would be terminated.

Because of this and given the 'tensions' that arose in the ME after the Camp David Accords in 1979, the EC heads of state and government as well as foreign ministers agreed on numerous principles, gathered into what was known as the Venice Declaration in 1980.[495] In the EC's opinion, this Declaration constituted a major basis for the achievement of an inclusive peace settlement. In addition to previous confirmations on the legitimate rights of Palestinians, the EC considered other matters like the PLO, Jerusalem, and the construction of settlements in the Arab-occupied territories, thereby acknowledging the Palestinians' right of self-determination. According to the Declaration, the PLO should be included in negotiations as the representative of the Palestinians; the status of Jerusalem should not to be changed by the Israeli occupation; and the construction of settlements in Arab-occupied territories was illegitimate and contradicted international law.[496] Furthermore, Israel was asked to withdraw from all Arab territories it had occupied in the 1967 War. This remarkable change of position by the EC represented a major shift in its outlook on the conflict in the ME to become "the basis for European policy ever since",[497] and was even regarded as a far-sighted initiative for dealing with the situation in the coming decades. By and large, from this momentous Declaration onwards, "all European countries came to accept the general framework for an Israeli-Palestinian settlement irrespective of whether the left or right was in

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[492] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 30
[493] Nonneman, 'The Three Environments of Middle East Foreign Policy Making and Relations with Europe '. p. 32
[494] Bindi, 'European Union Foreign Policy: A Historical Overview'. p. 21
[495] EEC, 'Venice Declaration', (June 13, 1980).
[496] Ibid.
[497] Nonneman, 'The Three Environments of Middle East Foreign Policy Making and Relations with Europe '. p. 32

power."[498]

Surprisingly, the 1980s did not witness any noteworthy European activism, and Europe's role in the ME question was not prominent. Various developments happened in the region which, on the whole, gave the impression that the EC was paralysed. The most challenging was the Israeli invasion of Lebanon in 1982 which complicated the political scene in the ME and caused a huge confusion to all actors involved in the conflict.[499] Although this challenge raised the sound of war rather than the sound of peace, the EC member states returned to their individual actions and reactions without any significant collective policy towards the new events in the area. This situation was also noticeably affected by a new leadership coming to power in France, led by François Mitterrand who was "considered to be a friend of Israel and a supporter of the Camp David process".[500] Generally speaking, this cast a heavy shadow over the rest of the EC members since until this surprising change in its policy, France had been the most enthusiastic pro-interventionist party in the ME conflict. This shift was accompanied by the firm desire and apparent manoeuvring of the newly-elected President Ronald Reagan in the US, who was reluctant to accept any European initiative to move away from the Camp David process.[501] As a result, the EC during the 1980s lacked even a minimum consensus on policy towards the ME such as that which had governed its attitudes and approach throughout the 1970s.

The demise of the bi-polar world order in the late 1980s and the subsequent vacuum which was rapidly occupied by uni-polar US hegemony in the ME left a marginal role for the EU in the Arab-Israeli conflict. The way the Cold War era ended might have benefited the EU had the latter sought to make a more significant contribution to the political solution in the region.[502] However, instead of redefining US-EU interaction and "the dynamics of burden-sharing in the region", the EU opted to follow the old policy by handing the papers on the Arab-Israeli conflict to the US mediator, who in theory accepted the mediatory role of the Russians in the Arab-Israeli peace process launched after the Madrid Conference in 1991.[503] Although the European countries were keen to push the conflicting parties towards a comprehensive solution, the direction of the political settlement between Palestinians and Israelis had become distanced from the influence of EU power which had been significantly

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[498] Dieckhoff, 'The European Union and the Israeli-Palestinian Conflict ',   p. 54
[499] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 40
[500] Ibid. p. 40
[501] Bindi, 'European Union Foreign Policy: A Historical Overview'. p. 21
[502] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 19
[503] Ibid. p. 19

marginalized over time.[504] This was very obvious with the signing of the Oslo Declaration of Principles between Israel and the Palestinian Liberation Organization (PLO) in September 1993, at which the EU merely acted as a witness, being neither a mediator nor a partner.

Thereafter, the EU played an economic and logistic role that was complementary to the political role of the US in the peace process. Significantly, at many points during and after the 1990s, "the stagnant ME Peace Process ...represented a significant test of the EU's ability to effectively combine multilateral and bilateral conflict-resolution strategies towards the Arab-Israeli conflict." In this respect the EU spent a lot of time, effort and money in implementing initiatives issued by others, especially the US until it found itself accused of becoming a "payer but not a player" in the peace process.[505] Thus, the EU in the new post-Cold War era was, on the one hand, captive to its desires and the expectations of others of being a political superpower as well as a leading player in the economic sphere, while being able, at the same time, to function appropriately without disturbing the US role in the on-going negotiation process between the parties involved in the conflict. This situation left no room for political involvement by the EU, and assured the dominant position and influence of the US in the new uni-polar world order in general, and in the Arab-Israeli conflict in particular.[506]

Financial Actor but in the Service of Politics; Toothless Broker
Despite the deficiencies in functioning represented by the failure to grasp the historical moment to perform independently and effectively in the ME, the EU continued to act as a complementary economic agent with some political aspects, rather than being a normative actor concerned with justice, democracy, human rights, and international law. Theoretically, the EU adopted several domains that were potentially open to joint action in the ME, but in practice and in terms of supporting the rights of the Palestinians, its role became quite humble. These areas, through which the EU's performance has been guided were outlined in the Presidency's conclusions in the 1992 Lisbon Report and cover the following;[507]

- Developing systematic action to support the process of negotiations launched by the ME Conference in Madrid on the basis of the relevant Resolutions of the United Nations Security Council which should lead to a just and comprehensive solution to the Arab- Israeli conflict and the Palestinian question.

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[504] Dieckhoff, 'The European Union and the Israeli-Palestinian Conflict ', p. 54
[505] Bulut et al., 'A Strategy for EU Foreign Policy '. p.51
[506] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 47 see also Dieckhoff, 'The European Union and the Israeli-Palestinian Conflict ', p. 54
[507] EU, 'Presidency Conclusions 'Lisbon Report".

- Ensuring the Union's active involvement in the Peace Process.
- Making efforts to persuade Israel to change its policy regarding settlements in Occupied Territories and to persuade Arab countries to renounce their trade boycott.
- Supporting moves towards regional integration
- Ensuring the full compliance by countries of the region with the relevant treaties and agreements on disarmament and arms control including those on non-proliferations, and with the relevant Resolutions of the United Nations Security Council.
- Supporting the foreign policy aspects of fighting terrorism and illicit traffic in drugs.

This vision was translated politically through moves on the ground, which in practice prolonged the conflict instead of ending it. Such moves ranged from support for the Roadmap for Peace co-sponsored by the EU in June 2002, to the Annapolis Process in 2007 and other statements and declarations as previously discussed. The Roadmap which was proposed by the Middle East Quartet (in which the EU participates with the US, UN and Russia), emphasised "the need for Palestinian institution-building and economic recovery with a view to enhancing the strength and viability of the future Palestinian state"[508] as stressed in the EU's statement about the ME. Similarly, the Annapolis Process committed the Israelis and Palestinians to implementing Roadmap obligations and to reaching a peaceful agreement within a specific time – although this commitment has been bypassed without peace being achieved.[509] This failure to achieve peace in Palestine through negotiation has not changed the EU's attitude to other potential alternatives. Instead, it has involved itself in the process through a financial gateway, which has transformed the EU from being interested in solving the conflict towards achieving a state of coexistence with it.

It is obvious that the EU domains mentioned above are subject to specific understandings and assumptions based on simply putting its weight behind MEPP, regardless of the balance of power governing the process between the parties involved, not to mention Israel's reluctance to implement international resolutions related to the Palestinian cause or even practical Israeli policies on the ground. Therefore, the soft language used by the EU in this context explicitly reflects the extent to which it might be prepared to intervene at critical moments if necessary; a matter that confirms the nature of the EU entity in this regard as a toothless broker. In principle, its concentration on the peace process contradicts the basic logic of Hamas that is centred on rejecting this process and even the Israeli state itself which has constituted a brand

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[508] EU, 'The EU in the Middle East Peace Process', (MEMO/09/88; Brussels, 27 February 2009).
[509] Ibid.

name for the efforts of Western countries towards the Jewish people for more than a century. As expected the EU's role, in light of its guidelines and despite its different functionality at several junctures during the past two decades, has been financially tangible in a way that supports politics, while it has been absent in other aspects expected by the Palestinians.

Not surprisingly, in the ME peace process that began in Madrid in 1991 and culminated in the Oslo Declaration in 1993, the EU became a financial actor rather than being a political player. The fact that it is a part of the Quartet does not mean that it significantly affected the political attitudes in the ME as much as it reflected the extent to which the EU-US partnership in the ME might work in the framework of the MEPP. In fact, the EU dedicated itself to serving behind the scenes and fostering US efforts to push the parties in the conflict to reach a significant agreement. The EU therefore became the major donor to the nascent PA, which has been established as a result of the Oslo process. Hence, the EU and its member states contributed financially to supporting the Palestinians with more than 50% of the international assistance received by them, which as noted, amounted to some €1 billion per annum. According to the EU's declared objectives, this assistance was "intended to foster the conditions for peace, stability and prosperity in the region, notably by advancing the Palestinian state-building process, promoting good governance and encouraging economic recovery with a view to enhancing the viability of the future Palestinian state."[510]

Such assistance was distributed in Palestine between numerous state- and society-building activities in a direct and controlled way by the EU, aimed at reconstructing the Palestinian infrastructure in a different way. These activities included (1) humanitarian and emergency aid directed to Palestinian families affected by poverty and conflict through UNRWA and PEGASE mechanisms;[511] (2) state-building activities dedicated to establishing institutions of the state and governance, with a major focus on empowering all sectors of the PA and encompassing education, health, police, and the judiciary; (3) Palestinian economic activities aimed at "encouraging the Palestinian private sector including credit guarantees, vocational training and trade facilitation"; and (4) border assistance (an EU border assistance mission (EUBAM Rafah) had been established in November 2005 but was suspended in June 2007, in order to help ensure global criteria at the Rafah passage between Egypt and Gaza). In

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[510] Ibid.

[511] PEGASE is an instrument through which the EU and international donations were to be channelled to the Palestinians since the inception of 2008. The name is derived from acronym for the French phrase ('Mécanisme Palestino-Européen de Gestion de l'Aide Socio-Economique)' [which means Palestinian-European Mechanism for Management of Socio-Economic Aid]. See EU, 'Commission Launches PEGASE - a New Mechanism to Support the Palestinian People', (IP/08/94; Brussels, 25 January 2008).

addition there were trilateral dialogues on such issues as trade policy, energy, and transport, which were organised by the EU between the European Commission, Israel and the PA.[512]

Furthermore, civil society activities were included in the EU's assistance to Palestinians and were directed towards changing the entire Palestinian structure to comply with the requirements of the stages of the peace process. In this area of activity the EU concentrated on normalizing relationships between Palestinians and Israelis by constant support for projects known as 'people to people' (P2P). For this purpose the EU launched its 'Partnership for Peace' programme, devoted to enabling "local and international civil society initiatives that promote peace, tolerance and nonviolence in the ME", with the aim of building mutual confidence between the two societies on the ground.[513]

It should be remembered that all the activities supported by the EU would have far-reaching consequences relating to the structure of both the Palestinian state and Palestinian society. Therefore, it was clear that the objective in this discourse was to restructure the Palestinians in a way that would have enabled them to live side by side with the Israeli state in a peaceful manner and recognizing their supposed enemy in an independent and sovereign state. According to Stephan Keukeleire and Jennifer MacNaughtan, in this case the EU preferred a structural foreign policy in which the actor "over the long-term, seeks to influence or shape sustainable political, legal, socio-economic, security and mental structures". It should, however, have pursued a conventional policy which implies being "oriented towards states, military security, crises and conflicts",[514] and tackles the roots of the problem instead of merely dealing with its manifestations.

Although the Maastricht treaty was activated in 1993, and through it the CFSP was introduced to and equipped with more significant tools, the EU's contribution to the peace process, in a political sense, was limited to multilateral negotiations "which dealt with global issues (economics, environment, refugees, arms control, water), the area in which little progress was achieved."[515] Later, the EU nominated Angel Moratinos who became the European Special Representative (EUR) for the MEPP in December 1996, in order to assist the US in its mediation between Israelis and Arabs.[516] Despite the relatively humble position

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[512] EU, 'The EU in the Middle East Peace Process'.
[513] Ibid.
[514] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 25
[515] Dieckhoff, 'The European Union and the Israeli-Palestinian Conflict ', p. 54-55
[516] Dieckhoff, Naumkin, and Cordesman, 'The Role of Europe in the Middle East '. p. 7

that he and his successor in 2003, Ambassador Marc Otte,[517] played in this case, it reflected the EU's willingness to take a practical political role in the peace process in a way that might change the impression that it was merely an economic actor.

In practice, this did not change the traditional EU image in the Arab-Israeli conflict as much as it opened other windows through which technical and logistical assistance could be given to the Palestinians. Thus, the EU's role has been actually devoted to issues related to building state institutions even before the state itself is established, or even making notable efforts to do this. The impression is that the EU does nothing except assist the Israeli occupation, when it is the occupation that should be responsible for dealing with such matters, according to International Law concerning the obligations of occupiers towards those whose lands are occupied.[518] In this way, the EU has established its presence as a funding actor rather than taking some other role in the Arab-Israeli situation.

Apart from the discussion whether it is the EU's responsibility or the ocuupation's one, looking more deeply into this question suggests that while it is true that the EU has not played a fruitful and effective role in bringing the Palestinian-Israeli negotiations to an appropriate end, it has in fact been an active player in terms of building the new Palestinian generation and authority in favour of new political era. It has done so through its effective involvement in structuring the Palestinian socio-economic and governmental sectors that were under construction from 1993.[519] In fact, by playing a part that complemented the starring role of the US, and by financing the PA, it was able to influence the political attitude of the Palestinians to remain compatible with the outcomes of the Oslo peace process, through which the EU had started to see an end to the dark tunnel in which both Palestinians and Israelis had long been trapped. According to the EU, this promising process could have put an end to the turmoil in the ME that was jeopardising its interests and vital flexibility.

Therefore, money that was used for spending in the form of assistance to Palestinians became, in one way or another, directed political money or what Rory Miller called "politico-humanitarian" contributions.[520] In this way the EU safeguards this so-called peace process from any potential deviation which may derail it, as the following two examples show. Thus, in addition to the fact that the EU controls the flow of money given to Palestinians, the

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[517] EU, 'New EU Special Representative for the Middle East Peace Process Appointed', (11435/03 (Presse 207); Brussels, 14 July 2003).

[518] See Cronin, *Europe's Alliance with Israel Aiding the Occupation*.

[519] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 283

[520] Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p. 21

Palestinians themselves have, governmentally, become noticeably dependent on the EU, as noted above, for many aspects of their daily lives, which in turn has affected the independence of the PA's political decision-making.

To put it more simply, the EU, relying on having the upper hand along with its interests in MEPP, has asserted that it does not accept the violent struggle against the Israelis, regardless of what the situation may be, and the only path the Palestinians have to follow is negotiations.[521] This implied that the EU might ask the PA to dismantle the Palestinian military resistance factions,[522] which immediately placed the PA in a state of serious confrontation with a broad section of its people who were imprisoned, and even had their human rights violated as was reported by international human rights organisations. This has happened respectively in the mid-1990s and from 2000 onwards, following the Al-Aqsa Intifada.[523] Interestingly, the most blatant examples were seen on two occasions; the first was when Yasser Arafat, mindful of EU-US assistance to the PA, was obliged to assent to a Prime Ministerial position for Mahmoud Abbas, as dictated in the Roadmap proposed by the Middle East Quartet including the EU in 2002. The second occasion was in 2006 when Hamas won the public elections.

In the first example, EU assistance was channelled through the financial ministry under the control of the new prime minister and away from President Arafat who was known to be a supporter of the Al-Aqsa Intifada. It was an obvious attempt to bring to power those who favoured a negotiated solution to the conflict supported by Abbas, at the expense of those who were pro-violence in the struggle against the Israeli occupation.

In the second instance, following the public democratic elections in 2006, all kinds of assistance that usually passed through the Palestinian government were stopped, because the government was headed now by Hamas. Instead, financial assistance started to be channelled to Palestinians through the presidency office by means of the Temporary International Mechanism (TIM), and away from the legitimate government and the finance ministry; a matter which contradicted the basics of good governance, the rule of law, and democratic principles, which the EU consistently declared as its foreign policy objectives. It was obvious that this assistance was political and was directed to one section of the Palestinians while

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[521] EU, 'Presidency Conclusions', (15914/05 ANNEX III; Brussels 15 & 16 December 2005).

[522] EU, 'Presidency Conclusions European Council Meeting in Laeken ', (DOC/01/18, SN 300/01 ADD 1; Brussels, 14-15 Dec 2001).

[523] Al-Haq, 'Field Report (July-September 2007)', <http://www.alhaq.org/documentation/mdd-reports>, accessed 10 April 2012.

prevented from reaching others, depending on their commitments to the MEPP, rather than the EU being loyal to democratic outcomes and the requirements of good governance. In fact, this use of assistance, and the subsequent incitement of the Palestinian security services by outside actors including the EU[524] deepened the rift between Palestinians themselves to the extent that it caused a serious civil war between Fatah and Hamas in 2006 and 2007, as well as a very severe Palestinian socio-economic failure and aggravated poverty. According to Nathalie Tocci and Benedetta Voltolini,

> EU diplomacy in the context of the Quartet failed to induce compliance by Hamas and, in response the EU, taking the lead from the United States, boycotted the PA government and withheld assistance to it. The policies of boycott, sanctioning, and closure pushed the OPT [Occupied Palestinian Territories] to the humanitarian and economic brink. [525]

This, in fact prompted Amnesty International to launch an appeal to the Quartet, asking it not to "subordinate fundamental human rights to political considerations".[526] Hence, it is clear that the EU has dedicated its assistance to Palestinians in the service of the international agreements between the parties, which has made it likely that aid would stop or be used as a means of punishment if needed. This, in one way or another, confirms that the EU's role in the peace process is "supplementing the co-sponsors' efforts, instead of running counter to it",[527] meaning that it has been a functioning actor in the MEPP, not as a mediator but as a sub-contractor to the US in its management of the peace process in the region.

Wider Regional Role

In its attempt to exploit the momentum generated from starting the peace process, the EU launched several regional projects in the ME, among other interests, to contain aspects of the conflict in a cooperative way, though with few signs of success.[528] Fundamentally, the EU sought "to make its political weight in the region commensurate with its economic influence as the biggest trading partner of the Mediterranean third countries", which qualified it to

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[524] See; EU, 'EU Response to the 11 September;European Commission Action ', (MEMO 02/53; Brussels 12 March 2002).

[525] Nathalie Tocci and Benedetta Voltolini, 'Europe, the Mediterranean, and the Middle East a Story of Concentric Circles ', in Ronald Tiersky and John Van Oudenaren (eds.), *European Foreign Policies: Does Europe Still Matter?* (Lanham & New York: Rowman & Littlefield, 2010). p. 118

[526] Amnesty International, 'Israel - Occupied Palestinian Territories Quartet Meeting: New Approach Needed to Break Deadlock', <http://www.amnesty.ie/content/israel-occupied-palestinian-territories-quartet-meeting-new-approach-needed-break-deadlock>, accessed 20 May 2012.

[527] Dieckhoff, Naumkin, and Cordesman, 'The Role of Europe in the Middle East '. p.7

[528] Dannreuther, 'The Middle East: Towards a Substantive European Role in the Peace Process? '. p. 158

function differently in its attempt to assist in the MEPP.[529] Interestingly, the EU launched the Euro-Mediterranean Partnership (EMP) initiative or the Barcelona Process in November 1995, an enterprise that encompassed all 15 of the EU member states linked to the 12 countries in the south of the Mediterranean, and building on other agreements negotiated with these countries by the EC during the 1970s. From Michelle Pace's perspective, one of the objectives of the EMP was represented in the fostering of links "at a political, social, economic, and cultural level between Mediterranean signatories to the Barcelona Declaration."[530]

Another approach to the ME that was launched in 2003 by the EU Commission was the European Neighbourhood Policy (ENP). This initiative was further developed in 2004 to include the EU's 16 closest neighbours, including Israel and the PA, and was aimed at "strengthening the prosperity, stability and security of all" and "building upon a mutual commitment to common values (democracy and human rights, rule of law, good governance, market economy principles and sustainable development)", as mentioned in European Commission sources.[531]

The ENP was followed with the signing of bilateral Action Plans between the EU and each country;[532] Israel, for example, has benefited greatly from this but has failed to implement the normative aspect of the agreement.[533] These action plans were officially designed to promote such normative dimensions as linking the export of democracy and other associated norms with the economic incentives made available.[534] Whereas these normative attitudes were simply clarified rhetorically, the material aspects of the initiative, represented in security and stability "at its borders and in proximate geographical areas", were genuinely the realistic goal of the EU; a matter which confirms the EU's pragmatic and realist agenda.[535]

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[529] Ricardo Gomez, 'The EU's Mediterranean Policy Common Foreign Policy by the Back Door? ', in John Peterson and Helene Sjursen (eds.), *A Common Foreign Policy for Europe? Competing Visions of the CFSP* (London and New York: Routledge, 2005). p. 135

[530] Pace, 'Paradoxes and Contradictions in EU Democracy Promotion in the Mediterranean: The Limits of EU Normative Power',

[531] EU, 'The European Neighbourhood Policy', <http://ec.europa.eu/world/enp/policy_en.htm>, accessed 15-3-2012

[532] Ibid.

[533] Federica Bicchi, 'The Union for the Mediterranean, or the Changing Context of Euro-Mediterranean Relations', *Mediterranean Politics,* 16/1 (2011/03/01 2011), 3-19. p. 8)

[534] Franz Eder, 'The European Union's Counter-Terrorism Policy Towards the Maghreb: Trapped between Democratisation, Economic Interests and the Fear of Destabilisation', *European Security,* 20/3 (2011), 431-51.

[535] Seeberg, 'The EU as a Realist Actor in Normative Clothes: EU Democracy Promotion in Lebanon and the European Neighbourhood Policy',

From a European perspective, these initiatives were deeply enriched by the framework that was later developed and that was known as the Union for the Mediterranean (UfM);[536] this body "serves as a forum for regional dialogue and remains the only multilateral context outside the United Nations where all parties to the conflict can meet and work together on a range of issues."[537] Against this background, it seems highly significant how the EU monitored its Action Plans with those countries which used to breach the very core of their normative obligations, such as Israel or other authoritarian regimes in the ME. In fact the EU, given its economic or political interests, has not moved seriously against the breaches of these agreements and has kept its normal relationships with them, as will be analysed in the chapters that follow. As a result, this realistic attitude within the EU's foreign policy has, as asserted by an EP civil servant, resulted in "a deficit of credibility",[538] a matter which shows how the EU weighs its interests in the surrounding political sphere, thereby confirming its pragmatic nature, and its readiness to compromise on its values and norms.

Even though these EU approaches tackled political, cultural, and economic dimensions, the EU failed to bridge the gap between the Arab states and the Israeli state through the EU's intended frameworks. In fact, these initiatives did not represent a genuine attempt to deal with the Palestinian question,[539] nor did they bring forward meaningful proposals for including Israel within the ME as a normal state.[540] In other words, building on the momentum of the peace process from the 1990s onwards, the EU tried, through these initiatives and other goals related to the roots of the ME conflict, to integrate Israel into the region. Using the logic of 'infiltrating by the window instead of entering through the main door', it thereby allowed the Israeli state to gain the fruits of the presumed peace without having yet achieved it. This equation, as is commonly known, was not accepted by the Arab countries in the partnership process started in Barcelona. As a result, "Policymakers [...] also found it almost impossible to promote substantive advances in the EMP without there being a corresponding progress in

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[536] "The Euro-Mediterranean Partnership, formerly known as the Barcelona Process, was re-launched as the Union for the Mediterranean at the Paris Summit for the Mediterranean in July 2008, with the new network of relations endorsed at the Marseille Meeting of the Euro-Mediterranean Ministers of Foreign Affairs in November. The Partnership [currently] includes all 27 member states of the European Union, along with 16 partners across the Southern Mediterranean and the Middle East." See; EU, 'EU, Mediterranean and Middle East', <http://eeas.europa.eu/delegations/israel/eu_med_mideast/index_en.htm>, accessed 10-2-2012

[537] EU, 'The EU in the Middle East Peace Process'.

[538] Author's Interview, 'Anonymous/ Civil Servant in the Committee on Foreign Affairs in EP', (Brussels, 14 May 2012).

[539] Dieckhoff, 'The European Union and the Israeli-Palestinian Conflict ', p. 55-57

[540] For more information about the complexities in these approaches, see; Bicchi, 'The Union for the Mediterranean, or the Changing Context of Euro-Mediterranean Relations', p. 12-13

the MEPP."[541] Hence, the EU has recognized that without solving the Arab-Israeli conflict and particularly the Palestinian question, its interests, as perceived through these initiatives, will not be correctly achieved. As a high-ranking figure in EEAS stressed, by solving the problem the EU could exploit its relations with Israel and the Arab world to the fullest; otherwise, everyone will suffer the consequences. It is not only the need to defend international law and its legality but also the EU's pressing interest in solving this major ME cause. In his view, achieving this could be done based on the security structure in the region which would have to guarantee Israel's status in the ME as a normal respected state beside peaceful neighbours.[542] Thus, according to an EP civil servant, the lost credibility of the EMP and other initiatives will be restored if the political issue rather than the economy is dealt with properly.[543]

Conclusion

The apparent contradiction between the EU and Hamas in terms of their perception of the MEPP is an extension of the contradiction between domestic national powers in the ME and external powers which have attempted to impose their perceptions of the region through enforcement rather than cooperation and persuasion. Accordingly, the ensuing tension between the parties has left the region exposed to the balance of power on the one hand and their perceived interests on the other. More simply, when insiders and outsiders perceive a specific area of conflict with each other in an existential way, the most powerful party tries to impose its demands on the other until the latter succumbs to the former. Similarly, the less powerful resorts either to surrender or to resistance, in an attempt to keep its interests as perceived in its own decision-making process. In a complicated situation such as the MEPP, the less militarily powerful party has had other significant points of power by which it goes on trying to achieve its goals. This has been the case with the historical tension in the ME between the indigenous people and the imperialistic foreigners who perceive issues related to this area from their point of view rather than the perspective of the inhabitants.

In a word, the EU's foreign policy towards Hamas is very much compatible with the perception of the conflict in the ME through the timeline along which the identity of players has occupied a significant place. Therefore, the conflict between the two parties can be seen

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[541] Dannreuther, 'The Middle East: Towards a Substantive European Role in the Peace Process? '. p. 158
[542] Author's Interview, 'Anonymous/EEAS/ME', *Directorate for North Africa, Middle East, Arabian Peninsula, Iran and Iraq* (Brussels, 11 June 2012).
[543] Author's Interview, 'Anonymous/ Civil Servant in the Committee on Foreign Affairs in EP', (Brussels, 14 May 2012).

as an episode of the conflict *in* the ME and at the same time *about* it. Strikingly, one party represented by the West and, in particular, the EU's major member states, has sought to establish a homeland for the Jews in Palestine and continues to foster it and secure its existence in the region by all political, economic and military means. Meanwhile, the other party, represented by Hamas, has, since its emergence, been fighting this logic since it regards its conflict with Israel as an "existential conflict" rather than one involving borders, as Hamas leaders have stated on many occasions.[544] These contradictory points of view, supported by a historical and ideological agenda, have caused the relationship between the Hamas movement and the EU to deteriorate as will be discussed below.

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[544] See the discourse of members of Hamas's political bureau, Khalil Al-Hayya and Abu Marzouk: 'Alhayya: Our Battle with the Zionism Is an Existential Battle Not a Boundaries Battle (Translated)', <http://ajnad-news.com/site/ajnad/details.aspx?itemid=3496>, accessed 7-8-2012. Also see Hossam Alshqoiry, 'Abu Marzouk: No Reconciliation or Negotiation with Israel, and the Conflict Is Targeting the Arab Identity ', *The Day Seventh* 17 May 2013.

Chapter Five: Inconsistency of the EU Discourse regarding Hamas: Norms and Values under Investigation

> In practice most states have proved 'rational' in the sense that they are keenly aware of the structural distribution of power in the international system, and do not pursue their normative agendas at the expense of their vital national interests.[545]
>
> Adrian Hyde-Price

> It was clear both to the US and to the EU that Hamas was a terrorist organization and, while its electoral victory was basically fair, Hamas 'must be seen to fail', lest others in the region imitate its path to power.[546]

This chapter examines inconsistencies in the EU's discourse towards its norms and values, in the context of the Palestinian democracy which brought Hamas to power in 2006. It illustrates clearly how these norms have functioned when they are examined in practice on the ground. The conclusions deduced, based on the gap between theoretically-founded claims and practically-implemented policies, could be read in light of the EU policy being realistically driven, and built on self-interest principle under which norms occupy a secondary and marginal position. However, this does not negate that the aforementioned gap is also socially constructed through a process of conflictual interaction between actors' preconceptions, norms and attitudes, producing specific contradictory meanings amongst players in the Palestinian-Israeli field, as will be illustrated in this chapter. Hence, the EU's normative discourse which, it is claimed, drives its FP towards Palestine, is the subject of inquiry. Significantly, this analysis will address the socio-politically constructed perception of the EU's marginalization and ignorance of its own norms, in favour of specific interests that are interrelated with the international coalition's demands, as represented in the Quartet's three common political conditions.

The anticipated findings will be deduced from the two sections that make up this chapter. The first section tackles the EU's outlawing of Hamas, in an attempt to understand the context and background of such a policy. In this regard the evolution of Hamas, along with an overview of the stages of its relations with the EU, will be highlighted, by examining the European Union's Security Strategy, which constitutes the basis for understanding the context in which Hamas is a terrorist organization, and the subsequent EU policies towards the movement. The

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[545] Hyde-Price, 'A 'Tragic Actor'? A Realist Perspective on 'Ethical Power Europe'',

[546] EU, 'Report on the Transatlantic Legislators' Dialogue 61st EP/US Congress Interparliamentary Meeting ', in European Parliament (ed.), (PE 372.945; Vienna, 18-21 April 2006). p. 3

second section investigates the issue of promoting values of democracy and human rights, along with the EU's support for the emergency status declared by the Presidency of the PA at the expense of these norms. Thus, contradictions and paradoxes in the EU discourse and practice will be examined in considerable depth in this area of the research. In addition to articulating the basic pillars of the EUFP towards Hamas and the substantial approaches used, significantly, this chapter confirms the necessity of highlighting the interactions that have governed relations between the two actors over time and the realistic path they have taken.

<center>**Section One: Outlawing Hamas: Context and Backgrounds**</center>

The Emergence of Hamas and the Beginning of the Dilemma

Among numerous changes that occurred in the ME and subsequently left a significant imprint on the MEPP, was the emergence on 14 December 1987 of the Palestinian Islamic Resistance Movement (Hamas),[547] a political and a military extension in Palestine of the Muslim Brotherhood Movement (MBM).[548] The latter has had a notable existence in Palestine from the 1930s, although its fortunes fluctuated following political changes in Palestine and throughout the whole region up to the end of the 1980s. During the 1950s and 1960s, following the rise of Arab nationalism that accompanied the triumph of the Free Officers Revolution in Egypt in 1952, as well as the strength of communism in the region, the MBM was quite fragile.

However, by the late 1970s and influenced by the triumph of Iran's Islamic Revolution in 1979 and the retreat of Arab nationalism after the death of Jamal Abdul Nasser, it had started to regain its strength and its regional presence.[549] Significantly, its presence in Palestine was limited mainly to the charitable sector, through which it mobilized generations of Palestinians culturally and religiously by way of universities and mosques,[550] while countering secular Palestinian factions represented by the Palestinian Liberation Organization (PLO), which was the dominant entity in the confrontation with the Israeli occupation throughout the 1970s and 1980s.

Thus, until the emergence in 1987 of its offshoot Hamas, the MBM distanced itself from becoming notably involved in altercations with the Israeli occupation,[551] leaving this duty to other national and mainly secular Palestinian factions. This approach enabled it to build its strength, in terms of its robust membership and considerable popularity amongst Palestinians, based on a vast social network of successful health and charitable programmes and of educational performance in kindergartens, schools, universities and mosques.[552] As a result, the MBM did not particularly attract the attention of the EU or any other superpower since it

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[547] For more information on the construction of Hamas from the beginning, see Zaki. Chehab, *Inside Hamas : The Untold Story of Militants, Martyrs and Spies* (London & NY: I B Tauris & Nations Books, 2007). p. 23-37

[548] Hamas, 'Hamas Charter'. Art. 2

[549] Hatina Meir, 'Hamas and the Oslo Accords: Religious Dogma in a Changing Political Reality', *Mediterranean Politics,* 4/3 (1999), 37-55. p. 38

[550] See; Hamas, 'Hamas Charter'. Article 16

[551] Chehab, *Inside Hamas : The Untold Story of Militants, Martyrs and Spies*. p. 130

[552] Ibid. p. 18-22

did not intervene either in politics or in the violent Palestinian struggle against Israeli occupation.

With the eruption of the first Intifada in 1987, a historical decision was taken by the MBM's leadership to create Hamas as a political and military arm of the Brotherhood. However, over time the MBM became totally absorbed into Hamas which, instead of being simply an arm of the 'mother-movement', became the main Islamic actor in Palestine. During the first Intifada from 1987-1993, the performance of Hamas, which was competing with the PLO, was based on the MBM's heritage of popularity and mobilization amongst Palestinians, and Palestinian public opinion, which had been more or less monopolized by the PLO before 1987, was now shared with Hamas.

As stated in its very expressive founding charter issued in 1988, the Hamas movement asserted the right of Palestinians to fight against the Israeli occupation until the removal of Israel from the whole land of mandatory Palestine by *jihad*.[553] It also reiterated staunchly that it had come to correct 'a historical fault', which had materialized in 1948 and was represented by the establishment of the state of Israel and the subsequent consequences embodied in the diaspora of the Palestinian refugees. Convinced that the Israeli state would not give up until obliged through force to do so, Hamas consistently refused peace negotiations or conferences.[554] This robust position against the 'Zionist' occupation of Palestine, as Hamas was accustomed to describing it, was not translated into physical behaviour until the early 1990s when, in return for the targeting of Palestinians during the Intifada by Israeli military forces, this nascent movement rather surprisingly took to targeting the occupiers wherever it could do so, with stones, demonstrations and similar methods.

Hamas developed its means of fighting incrementally, in the process becoming more violent and attacking Israeli military and civilian objectives alike. In its attempt to justify the leap from applying simple methods of protest to adopting more forceful means, Hamas claimed that it had been attempting to react in a fashion similar to the way the Israeli occupation itself acted against Palestinian civilians, whose property, children and land were considered legitimate targets for the Israeli machine of destruction.[555] Accordingly, this new Islamic revolutionary movement developed in a way that produced many headaches for the

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[553] Hamas, 'Hamas Charter'. Art. 15
[554] Ibid. Art. 13
[555] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).

international sponsors of the MEPP, who were unable either to contain this controversial non-state actor or to put an end to its ability to affect the region's political trajectory.

Overview of Stages in the Relations between the EU and Hamas

As the Hamas movement has become more effective on the political scene in Palestine, it has attracted much attention from international actors, including the EU which has gradually developed its stand towards the movement. In fact, it is customary to link this stance to the level of violence on the ground and to the direction taken by the conflict between Israel and Hamas. Therefore, the EU's relationship with Hamas has gone through various stages, each of which covers specific periods of time and events. Significantly, the EU had no official communications with Hamas during these stages, except for the period between 2000 and 2003.[556] Other talks, communications and dialogues were conducted with Hamas through representatives from EU member states, research centres, and individuals close to the decision-makers in the European Union as they define themselves. Some of these communications took place in European states, while others were in Arab countries and inside Palestine itself. Some were conducted in public, with the rest held in private, as demanded by the Europeans.[557] These stages, as depicted by Usama Hamdan, the International Relations Commissioner of Hamas (IRCH), and presented in this study,[558] indicate the significance of the path along which relations between the two parties have flowed.

The first phase was the stage of identifying the movement. In fact, following its establishment and its robust involvement in the first Intifada, Hamas was approached by European envoys to the ME who communicated with it in various ways, although, according to a leader in Hamas, without adopting specific stands towards this relationship.[559] In principle, the EU was interested in the PLO, which clearly showed a trend towards peace with Israel after the Palestinian National Council's meeting in Algeria in 1988, hoping this would open up an actual opportunity through which the Arab-Israeli conflict might be resolved. Were this to happen, Hamas and other Palestinian factions would no longer find any opportunity to act but would have to accept the reality on the ground resulting from the peace agreement.

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[556] Aisling Byrne, 'Bottom-up Peacebuilding in the Occupied Territories', *Interview with Alastair Crooke* (Beirut: Conflicts Forum, November, 2007).

[557] Author's Interview, 'Gazi Hamad', *Political Advisor of the Hamas Prime Minister* (Gaza Strip, 18 February 2013).

[558] Hamdan, 'The European Attitudes Towards the Palestinian Resistance Movements; the Case of Hamas [Translated]'.

[559] Ibid.

Secondly, from the European side there was a phase of hesitancy in the relationship; this could be seen after Hamas had been designated by the US as a Foreign Terrorist Organization on 8 October 1997.[560] In fact, as much as it wanted to support the peace process effort in the ME, the EU tried not to exceed the US position which had stigmatized Hamas as a terrorist organization. It is worth noting that the EU was interested in supporting the PA's institutions, and wished the MEPP to reach its concluding stage through negotiation and establishing the Palestinian state in 1999, as had been anticipated following Oslo I in 1993 and after the signing of the Gaza-Jericho Agreement in 1994;[561] according to this approach other Palestinian strategies would no longer be able to find a foothold in the new Palestinian state. In the same vein, after the big bombing attacks launched in Israel by Hamas and Islamic Jihad in 1996 following the Israeli assassination of Yahiya Ayyash,[562] Europe's indecision over policy produced a stalemate. Accordingly, the EU participated actively in the summit against terrorism held in Sharm al-Sheikh in March 1996, condemning the explosions by Hamas and Islamic Jihad that targeted Israelis, and implementing the summit resolutions without officially outlawing Hamas or, so far, putting it on its black list.

The third phase was the stage of a partial opening up in the wake of the al-Aqsa Intifada on 28 September 2000; strikingly, with the eruption of this Intifada, everything that had been achieved in the MEPP seemed to vanish and the whole region was put at risk. The most interesting aspect of this was Hamas's performance during the Intifada and the speed with which it was able to reconstruct itself after being targeted simultaneously by the PA and Israel in the late 1990s. In this phase, the EU condemned the Palestinians for their violent resistance, and called on the PA to dismantle Hamas and Islamic Jihad, 'including the arrest and prosecution of all suspects', and at the same time demanding "a public appeal in Arabic for an end to the armed intifada".[563] In addition, the EU placed the military wing of Hamas, the Izz al-Din al-Qassam brigades, on its list of terrorists.[564] Although Hamas had been condemned by the EU for its attacks against Israelis, EU officials were keen to make contacts

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[560] U.S. Department of State, 'Foreign Terrorist Organizations', (Country Reports on Terrorism 2011, Chapter 6, July 31, 2012).

[561] This agreement was signed in 1994 by the state of Israel and the PLO, and permitted the latter for the first time in Palestinian history, to establish the PA on the West Bank and Gaza Strip.

[562] This Hamas leader was assassinated by Israel in the Gaza Strip in January 1996 after being accused of responsibility for targeting Israelis with suicide bombings. Hamas followed this with a series of military operations that caused killings and casualties amongst Israelis in February and March 1996. Following these events, a large international conference against terrorism was convened in Sharm al-Sheikh in the same year.

[563] EU, 'Presidency Conclusions European Council Meeting in Laeken '. Also EU, 'EU Response to the 11 September;European Commission Action '.

[564] EU, 'Council Decision of 28 October 2002', (L 295/12; Brussels: Official Journal of the European Communities 30.10.2002).

with the movement in an attempt to find an exit from the circle of violence. Therefore, official communications were launched by the EU with Hamas during this stage, based on a process of dialogue about controversial topics linked to the conflict between the two parties.[565]

In 2003, the inclusion of the political wing of the movement, under Israeli-American pressure, on the EU's list of terrorists marked the inception of the fourth phase in the relationship between the EU and Hamas.[566] Nevertheless, although EU institutions officially welcomed and were committed to the declaration of Hamas as a terrorist organization,[567] several European states and even some EU Parliamentarians continued to communicate with Hamas in various ways.[568] Indeed, the confusion surrounding the EU's position towards Hamas was obvious after the latter's participation in local and municipality elections in 2005/2006.

Finally, we turn to the stage of post-legislative elections in the West Bank and Gaza Strip in 2006. The substantial victory of Hamas in the legislative elections (winning 74 out of 132 seats) put pressure on many actors involved in the MEPP. Among these actors was the EU, which plunged into apparent confusion as a result of falling between its commitments to the normative objectives of its foreign policy in the ME on the one hand, and the requirements of the MEPP on the other.[569] Officially, the EU, alongside the US, was the sponsor of the elections, and in fact, these elections were one of the demands made by the EU in its attempts to reform the PA and make it more democratic and transparent. In the same vein, and due to the importance of such an event to the MEPP, it urged the Israelis to facilitate these elections, regardless of any reservations:

> The European Council emphasises the importance of the elections for the Palestinian Legislative Council foreseen for January 2006. It urges Israel to co-operate fully with the Palestinian Authority on the preparation and conduct of the elections, especially concerning freedom of movement for all candidates,

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[565] Byrne, 'Bottom-up Peacebuilding in the Occupied Territories'. 2007

[566] EU (12 September 2003), 'Updating Common Position 2001/931/CFSP on the application of specific measures to combat terrorism and repealing Common Position 2003/482/CFSP', in Council of the European Union (ed.), (L 229/42; Brussels: Official Journal of the European Union).

[567] EU, 'Report on Peace and Dignity in the Middle East ', (2002/2166(INI); Brussels: European Parliament 9 Oct 2003). Art.23

[568] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).

[569] Benita Ferrero-Waldner, 'Suspension of Aid to the Palestinian Authority Government', in European Parliament Plenary (ed.), (SPEECH/06/260; Brussels, 26 April 2006).

election workers and voters, in particular in East Jerusalem, and welcomes the launch of the EU's Electoral Observation Mission.[570]

The EU was therefore fully aware of the intention of Hamas to compete democratically in the elections,[571] which implicitly meant respecting, accepting, and dealing with the outcomes of the democratic process, a lesson that had been taught for many years by its own institutions and EU-funded NGOs in Palestine and elsewhere. That is why the EU ended up by falling over the contradiction between its normative ethics and its actual interests as a result of favouring the latter at the expense of the former; this confusion has been visible since 2006.[572]

Accordingly, the EU and the Middle East Quartet (MEQ) adopted three conditions that were to be imposed on Hamas so that it could be accepted as a recognised player in the ME political field; (i) recognising the right of Israel to exist; (ii) respecting all previous signed agreements with Israel; and (iii) renouncing violence.[573] Otherwise, the Hamas-led government would be boycotted; all sorts of cooperation with it would be stopped; and the financial assistance to and through it would be suspended. After Hamas had refused the conditions, as outlined above, all the threats were implemented and strictly monitored; they undoubtedly affected all Palestinians and pushed them into a very harsh situation socially, economically and politically, as is discussed in the following sections.

The European Security Strategy and Hamas

The EU's position on Hamas was consistent with the European security strategy (EUSS) that was adopted by the European Council in December 2003. This strategy was built on the estimation of threats that surrounded the EU and might affect its stability and security. In this context, therefore, external and internal threats against the Union were inextricably linked and the EU could not ignore any of them, because of the serious effects that might occur in Europe and its vitally important surrounding areas. Accordingly, having identified these challenges, the EUSS clarified the strategic objectives and assessed the expected implications for the entire EU.[574]

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[570] EU, 'Presidency Conclusions'.
[571] See; EU, 'Javier Solana, EU High Representative for the CFSP, Pleased with Rafah Border Crossing Management, Appeals to Palestinian Militant Groups to Renounce Violence', (S417/05; Brussels, 19 December 2005).
[572] See supporting observations and documents discussed in the literature review in Chapter One of this thesis.
[573] MEQ, 'Quartet Statement'.
[574] EU, 'European Security Strategy', in European Council (ed.), (Brussels, 12 December 2003).

It is worth noting that the EU's close neighbours, as well as its internal European concerns, are an incentive that drives EU interference, action and reaction in the ME and elsewhere. Given the indisputable link between development and security, the deterioration of the latter certainly affects the former, and thereby influences trade and investments flows, in addition to the wellbeing of nations. Convinced of this fact, the EU has identified three key challenges facing Europe, according to which the EU determines its actions for or against Hamas, among others.

The first of these challenges is terrorism. The EU has made a concerted effort to fight against terrorism, either within Europe or anywhere else that might affect it or its allies directly or indirectly. The second is the proliferation of weapons of mass destruction (WMD), which the EUSS regards as the greatest threat to European society due to the possibility of certain terrorist organizations acquiring such weaponry, and because WMD represent a significant threat to Europe's populations. The third key threat is regional conflicts "which can have direct and indirect impacts on EU interests regardless of their geographical location."[575] Such conflicts might lead to terrorism, violation of human rights, organized crime, and 'failure states', while the wellbeing of Europeans, their economies, and their political relations might become vulnerable to instability, as well as jeopardizing the peace and security of the whole world.

Accordingly, the EU pursued three objectives in order to secure its safety, promote its values, and maintain its interests. The main objective is to address threats; however, after the events of 11 September 2001 in the US, the EU, in association with the US, has increased its efforts to combat terrorism, pursue its policies against the proliferation of WMD, and intervene in regional conflicts where this is deemed necessary. The second aim of this strategy is to build security in the regions bordering the EU, which implied interference in those regions, and also explained its insistence on participating in the peace-building process in Palestine, based on effective economic assistance to the PA. The third objective is to develop an international order based on effective multi-lateralism which will be able to guarantee stability and security through international organizations. In this regard, the best protection for EU security, as adopted in the EUSS, is "a world of well-governed democratic States."[576]

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[575] Ibid.
[576] Ibid.

Given these key issues, the EU made considerable progress in building a coherent foreign policy, and according to the EUSS, is still working in the right direction. Hence, many policy implications were included in the EUSS as guidelines for more cohesive and accurate performances. However, the EU needs to be more active in pursuing its strategic objectives in order to counter new threats and, if necessary, intervene rapidly, robustly and effectively. In addition, the EU looks to increase its competences to build a more capable Europe in all its aspects, making use of the capabilities of its member states along with those of the EU itself. Furthermore, it needs to 'pursue coherent policies' that followed the same agenda in all fields of activity. Finally, it is convinced that achieving its ultimate goals internationally has to be done in full coordination with its partners, and by activating all its relationships around the world, particularly the transatlantic ones which, due to historical considerations, were perceived in the EUSS as irreplaceable. Thus, it is obvious that this strategy was ambitiously constructed and directed towards building a global EU player, the security of which "is very much a focus of its European foreign policy."[577]

Significantly, all perceived reforms insisted on by the West and, in particular, by the EU, were implemented in full compatibility with the EUSS guidelines, with the aim of settling the most problematic regional conflict because of its potential to affect Europe and disturb its relations with the Arab and Islamic world. Hence, it could be said that, as a driver and a seeker of security[578] in the ME, in addition to being a milieu-shaping actor, the EU engaged in radically constructing the PA in order to serve its own interests on the one hand and the MEPP on the other. In this context, the coming to power of Hamas would essentially place the EU's plans and properties, as asserted in the EUSS, as well as the validity of its normative teachings under examination. Thus, the EU's objectives in fighting terrorism and solving regional conflicts would be substantially affected, especially because the triumphant Hamas movement has previously been put on the EU list of terrorists and it has, at the same time, challenged the structural peace-building process which has considerably been promoted by the EU after 1993.

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[577] Seeberg, 'The EU as a Realist Actor in Normative Clothes: EU Democracy Promotion in Lebanon and the European Neighbourhood Policy', p. 91

[578] See also Ellner, 'Regional Security in a Global Context: A Critical Appraisal of European Approaches to Security', p. 10-24

Outlawing Hamas: an Attempt to Understand the Context

> The Council is committed to using sanctions as part of an integrated, comprehensive policy approach which should include political dialogue, incentives, conditionality and could even involve, as a last resort, the use of coercive measures in accordance with the UN Charter.[579]

In light of the EUSS, Hamas has been banned and stigmatized as a terrorist organization. Given that the EU has declared its fight against terrorism and is manoeuvring to stabilize regional conflicts, the Arab-Israeli conflict has been an EU priority, especially after a Palestinian leadership represented in the PLO, assisted by the EU and the US, has already begun the process of stabilization after the signing of the Oslo Accords between the PLO and Israel in 1993. Therefore, after dealing directly or indirectly with Hamas for a period of 13 years without any significant reservations on the part of the EU's special envoys to the ME, such as Alastair Crooke and other European diplomats, the EU had transformed Hamas from being a political profile that could be talked to or negotiated with, into a security subject which had to be seen in light of the EUSS.

Significantly, before it had been consigned to the terrorist list, Hamas had been approached and pursued through political dialogue in an attempt to influence its political stance and its military performance prior to and within the Al-Aqsa Intifada. In this regard, the room for EU activity had been wider than it was after Hamas was put on the black list. According to Usama Hamdan, in the context of EU-Hamas relations, securitizing Hamas and then declaring it a terrorist organization was the EU's first big mistake.[580] The EU clearly distanced itself from dealing with one of the most significant players in the Palestinian line-up at a time when it was crucial to talk to Hamas to facilitate the EU's goals in Palestine, as represented in a peaceful settlement between the parties in the conflict which could not be done without the acceptance of Hamas.

Alastair Crooke, the political and security advisor (1997 - 2003) to Javier Solana, High Represintative for (CFSP), agrees: in his view, the list of terrorists is "one of those things from which it's almost impossible to get a name removed,[581] and if certain people, like

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[579] EU, 'Basic Principles on the Use of Restrictive Measures (Sanctions)', in Council of the European Union (ed.), (10198/1/04; Brussels, 7 June 2004).

[580] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).

[581] Alastair Crooke, 'Permanent Temporariness', *London Review of Books,* 33/5 (3 March 2011), 24-25.

Hamas, were put on that list, attitudes towards building the peace process in the ME would harden. This opinion was shared by a high-ranking official at the EEAS who stressed that if there was an attitude to get Hamas out of this list, the 27 member states of the EU would have to agree to the removal of Hamas from it which is hardly likely to occur;[582] while Kyriacos Triantaphyllides, Vice-Chair of the Delegation for Relations with the Palestinian Legislative Council (PLC), saw it as the same reasoning for not being active in forcing Israel or sanctioning it for its behaviours in the Palestinian territories.[583]

This mistake in effect became an element in another of the world's historical turning points; this time it was exploited by Israel and its allies to corner and isolate Hamas. The attacks on New York and Washington DC on 11 September 2001 changed the world dramatically. For the first time in its history the US was attacked on its own soil and its own heartland, and its dignity was seriously wounded. The US administration immediately launched its 'War against Terrorism', calling on the entire world to determine whether it would stand with the evil alliance or the good one.[584] Israel seized the opportunity to benefit from the new circumstances in the US and called for Hamas to be dealt with in the same way as Al-Qaeda. According to Daud Abdullah, director of the *Middle East Monitor* in London, Israel succeeded in combining the two images in the US and Palestine. As a result, the Palestinian resistance movement and other similar examples against occupation such as those in Iraq and Afghanistan were put in the same basket with Al-Qaeda, regardless of the incentives behind their violent operations and the type of targets in all cases.[585]

The link between these two actions, i.e., banning the military wing of Hamas and the '9/11' attacks on the US, was confirmed by the anonymous senior official at the European External Action Service (EEAS), who noted that the 9/11 attacks had left a heavy shadow over the status and the probable fate of Hamas.[586] From the perspective of an EEAS committee member, who also requested anonymity, if 9/11 had not happened, "the EU could have been communicating with Hamas for a long time." He blamed Hamas for not having recognized that moment and for failing to understand the significance of the EU's subsequent alteration of its historical mode of approach towards terrorism; public opinion was no longer able to

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[582] Author's Interview, 'Anonymous/EEAS/ME', (Brussels, 11 June 2012).
[583] Author's Interview, 'Kyriacos Triantaphyllides', (Brussels, 21 June 2012).
[584] Beverley Milton-Edwards and Peter Hinchcliffe, *Conflicts in the Middle East since 1945*, ed. Eric J. Evans and Ruth Henig (3 edn., The Making of the Contemporary World London and New Yourk: Routledge 2008).p. 122
[585] Author's Interview, 'Daud Abdullah', *Middle East Monitor Director* (London, 9 January 2013).
[586] Author's Interview, 'Anonymous/EEAS/ME', (Brussels, 11 June 2012).

distinguish between such operations targeted at people, and the EU was left with no choice but to make the decision against Hamas.[587] However, the fact that the EU showed no clear-cut reaction to Israel's massacres in Palestine, for example, in the Jenin Camp in May 2002, which killed dozens of Palestinian civilians and demolished hundreds of homes, indicates that the EU policy towards Hamas has been inconsistent and clearly imbalanced; why was Israel censured but eventually tolerated, while Hamas was considered to be a terrorist organization? This deliberately-mixed perception of Hamas's resistance was duly adopted by the US, which then sought in particular to convince its European allies to ban Hamas as had been done against Al-Qaeda; this was the result. [588]

In addition to the direct pressure applied on the EU by the Americans, both collectively and separately, Israel's friends amongst the European states played a significant role in banning Izz al-Din al-Qassam, the military wing of Hamas, on 27 December 2001.[589] While doing so, the EU, which had engaged in official communications with Hamas only since 2000,[590] left considerable room for its diplomatic efforts with the movement's political wing, in order to calm the situation within the Al-Aqsa Intifada in Palestine and to influence Hamas's positions towards the conflict. According to Hamdan, this was in the interests of the EU which thereafter played an effective role in declaring a truce from the Palestinian side in 2003, under the supervision of Alastair Crooke who was the direct mediator in this declaration.[591]

Along with being in sympathy with the US, the European attitude towards banning the political wing of Hamas after doing so with the military wing was another significant factor influencing events. Significantly, the violent resistance adopted by various Palestinian factions, mainly Hamas, during the Al-Aqsa Intifada that erupted on 28 September 2000, changed the way of thinking of the Europeans who perceived attacks by Hamas against the Israelis as being similar to the attacks that were occurring in the US and elsewhere. According to Berlusconi, addressing the Israelis,

> Since 2000, [the] wave of terror of the Second Intifada [has begun] and brought your people's stamina to the test. We Italians were conscious, from the first moment, of the fact that terror is challenging not only the United States and Israel, but all democratic states of the West, and even moderate Arab countries.

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[587] Author's Interview, 'Anonymous/ Counselor at EEAS', *Middle East and Mediterranean, Permanent Representative* (Brussels, 1st June 2012).
[588] Author's Interview, 'Daud Abdullah', (London, 9 January 2013).
[589] EU, 'On the Application of Specific Measures to Combat Terrorism', in Council of the European Union (ed.), (L 344/93; Brussels: Official Journal of the European Communities 28 December 2001).
[590] Byrne, 'Bottom-up Peacebuilding in the Occupied Territories'. 2007
[591] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).

> We have since taken part – from Iraq and Afghanistan, from Bosnia to Lebanon
> – in fighting terror and promoting peace. With our soldiers and Peace Corps, we
> have made a contribution to making the world safer and more just, and we have
> paid the price in human life.[592]

Thus, the context in which the Palestinian Intifada had been identified was the context of the global war against terrorism, launched after 11 September 2001.[593] Thereafter, subsequent European behaviours towards Hamas would involve ways of containing the danger to Israel that might be represented by the Hamas movement.

Despite the obvious difference between Al-Qaeda and Hamas, as confirmed by Phil Bennion and other EU respondents,[594] and the nature of their targets as well as the logic dominating them, the resistance that Hamas represented in Palestine against the IO was ultimately perceived in the same way as the terrorism represented by Al-Qaeda. According to Franco Frattini, the European Commissioner responsible for Justice, Freedom and Security "Israel [was] struggling with the same terrorist threats as Europe but on a much larger scale"; he considered Hamas as of those radical Islamist groups who threatened Europe and Israel alike.[595] Despite the refusal of Marc Otte to accede to such equalizing between two organizations which he did not regard as being the same,[596] this was, in fact, a clear cognitive deviation against Palestinian factions and their cause. This deviation was condemned, for example by Mark Perry and Alastair Crooke who believed that the EU's policy of deliberately equalizing different actors by putting them on the same black list was unreasonable and would sabotage the EU's ability to function in the Arab-Israeli conflict.[597] Confirming the accuracy of the principle that 'one size does not fit all'[598], many scholars have pointed out that in this regard the logic of mixing different actors and putting them on the same scale is an inaccurate policy followed by the EU.

At that point, Hamas was an undesirable player even though it could have been persuaded to change instead of being isolated. Significantly, however, after years of being fought by both

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[592] Berlusconi, 'Speech by the Prime Minister of Italy Silvio Berlusconi to the Knesset '.

[593] EU, 'Declaration by the Presidency on Behalf of the European Union on the Situation in the Middle East ', (12400/03 (Presse 261); Brussels, 11 September 2003).

[594] Author's Interview, 'Phil Bennion', *MEP, Delegation for relations with the Palestinian Legislative Council* (Brussels, 28 June 2012).

[595] Franco Frattini, 'From the Outside, Looking In: International Perspectives on the Middle East', *Israel at 60: test of endurance* (Speech/08/29; Herzliya, 22 January 2008).

[596] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).

[597] Mark Perry and Alastair Crooke, 'How to Lose the War on Terrorism: Handing Victory to the Extremists', (Conflict Forum April 1, 2006).

[598] See; Stephen Spector, 'Evangelicals and Israel ', *The Arab and Muslim Enemy* (London: Oxford Scholarship Online, 2009). p. 14

Israel and the PA between 1996 and 2000 in the wake of the Hamas military revenge operations that followed the Israeli assassination of Yahia Ayyash, Hamas surprised observers by returning to the scene, as a stronger and more cohesive body in the Al-Aqsa Intifada. As a result, through its envoy Alastair Crooke, the EU opened the historic 'continuous dialogue' with Hamas in an attempt to stop the mutual violence between Palestinians and Israelis, although it was not proportionate. But, as Hamdan revealed, despite Crooke's success in reaching a truce on the Palestinian side on 21 June 2003, thereby gaining the time needed for Europe to try and stop Israeli operations in the Palestinian territories, the mediator failed to convince the Israelis to address the Palestinian declaration of a truce. Israel did not respect the declaration; indeed, the Israeli Education Minister Limor Livnat, speaking on Israeli Army radio, described it as "a trick".[599]

During this period, Hamdan continued to report every Israeli violation of this truce to Crooke, in order to highlight the pragmatic approach adopted by Hamas and all the Palestinian factions, compared with the rigid position of the Israelis. In fact, after 50 days of the truce being breached by the Israeli side without being either overtly stopped or condemned by the EU which at the same time, was controlling the military action on the Hamas side,[600] the situation exploded again. On 19 August 2003 a member of the military wing of Hamas bombed an Israeli bus, killing and wounding dozens of people. Two days later, on 21 August 2003, the Israelis assassinated 'Ismail Abu Shanab', a senior figure in Hamas.[601] All this happened while the US and the EU were meeting in Aqaba in an attempt to get the peace negotiations back on track; at this meeting, according to Solana, the Palestinian leadership committed itself to ending terrorism and violence. Considering that their efforts in Aqaba had been wasted by the breaking of the truce, the EU therefore threatened that "those choosing another path, rather than the Roadmap, will face consequences", and promised to cut off the external support for Hamas.[602] Hence, the EU, affected by the 'war on terrorism' launched after the attacks on the US in 2001 and the pressure from the latter and Israel,[603] has closed the only remained diplomatic channel with Hamas and put it on the list of terrorist

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[599] 'Three Groups Agree to Halt Attacks against Israel', <http://www.cuttingedge.org/news_updates/nz977.htm>, accessed 28-7-2012

[600] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).

[601] Abu Shanab is a senior leader in Hamas accused by the Israelis of supporting the military wing of Hamas and rebuilding its infrastructure. For more details about the Israeli claims see; Govermnet of Israel, 'Hamas Terrorist Ismail Abu Shanab', in Israel Ministry of Foreign Affairs (ed.), (Jerusalem, August 21, 2003).

[602] EU, 'Remarks by the EU High Representative for Common Foreign and Security Policy, Javier Solana, on the Latest Developments in the Middle East', in European Commission (ed.), (S0133/03 Brussels, 13 June 2003).

[603] Author's Interview, 'Daud Abdullah', (London, 9 January 2013).

organizations. Paradoxically, while Hamas had been dealt with in such a way, Israel's military actions and breaches during the 50-day truce were not addressed by the EU in the same way.

In this respect, the British government played an important role among the European states after US President George W. Bush had expressed Washington's frustration with the EU because "the US was left to do the 'heavy lifting' with Israel", whereas no parallel European action had been launched in Palestine alongside the US 'war on terror'.[604] It was not long before Jack Straw, the Minister of Foreign Affairs in the UK, had informed the Prime Minister's foreign affairs adviser, David Manning, accompanied by Alastair Crooke, that he had convinced Joschka Fischer, the German Foreign Minister, to put Hamas on the list of terrorist organizations. All this coincided with the pressure exerted for the same purpose by President Bush on senior EU officials at the annual EU-US summit in June 2003.[605] Prompted by the poisonous atmosphere prevailing after the Hamas military operation had terminated the declared truce in 2003, Nigel Sheinwald, Manning's successor, angrily informed Crooke "that security in Palestine could [only] be achieved by eradicating the 'virus' of Hamas from Gaza, and eliminating its 'disease' from the region."[606]

In fact, the period of banning the movement had been remembered by Franco Frattini, who expressed his pride for the reality that under the Italin Presidency of the EU, while he was serving as a Foreign Minister, Hamas had been proscribed as a terrorist organization for its hostile stances towards Israel and the MEPP.[607] He justified this step by saying that

> Hamas has never abandoned its plan of destroying Israel and still rejects the principle of [a] two-state solution. That's why Hamas cannot be a viable interlocutor, neither for the international community, nor for the poor Palestinian people who should sooner rather than later realise that Hamas has brought them only disaster.[608]

Commenting on this, Ivo Vajgl, a member of the EP refused the categorization of Hamas as a terrorist organization, arguing that the aims and objectives of Hamas were not terrorism; its goals were dedicated to assisting its people. Even though it was blamed for its acts of terror, these acts were not sufficient for it to be considered as a terrorist organization "like Al-Qaeda

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[604] Crooke, 'Permanent Temporariness', p. 24

[605] Maurice R Greenberg et al., 'Update on the Global Campaign against Terrorist Financing: Second Report of an Independent Task Force on Terrorist Financing', (DTIC Document, 2004). p. 26

[606] Crooke, 'Permanent Temporariness', p. 24

[607] To read the EU declaration see; EU, 'Declaration by the Presidency on Behalf of the European Union on the Situation in the Middle East '.

[608] Frattini, 'From the Outside, Looking In: International Perspectives on the Middle East'. 2008

for example".[609] Contrary to this seemingly sound logic, Hamas was crucially proscribed by the Council of the EU supported also by the European Parliament EP,[610] whereas they continued to maintain significant relations with Israel at all levels, despite Israeli policies on the ground that, as statistics revealed, were clearly breaching human rights and targeting Palestinian civilians far more severely than the policy that Hamas had followed with the Israelis.[611]

Remarking these developments, Ilan Pappe pointed out that, "Israel ...eventually succeeded in convincing the EU to associate Hamas with all the forces that the West [was] fighting against, in the so-called war against terror."[612] Strikingly, this had happened regardless of the fact that Hamas was a resistance movement without hidden agenda, as commonly known, in terms of the international conflict with so-called terrorists. Building on the aforementioned developments, the EU's sanctions-based policy towards Hamas became, ironically, part of a comprehensive approach that is based on seeking peace and security between the Palestinians and the Israelis.

Top-Down Approach against Bottom-Up Tactic with Hamas

After the decision regarding Hamas had been taken by the EU institutions in 2003, the EU made a significant change in the way it approached the movement; it no longer followed a 'bottom-up' tactic but moved to a 'top-down' approach. This suggests a transformation by the EU from political dialogue with Hamas, as followed by Alastair Crooke after the start of the Al-Aqsa Intifada, to the dialogue of power after Hamas had been stigmatized as a terrorist organization. Indeed, the EU's decision to declare Hamas as a terrorist meant replacing the mechanism of persuasion as a method for change with the mechanism of force, commands, and stipulations. However, according to the bottom-up approach, influencing Hamas's attitudes to a peace process as well as to violent resistance could be done through a socially-constructed methodology that comes with a process of deep dialogue. Therefore, as a MEP, Ivo Vajgl also pointed out that starting from the bottom with Hamas might prove more

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[609] Author's Interview, 'Ivo Vajgl', *MEP, Delegation for Relations with the Mashreq Countries* (Brussels, 28 June 2012).

[610] EU, 'Report on Peace and Dignity in the Middle East ', in European Parliament (ed.), (Session document, (2002/2166(INI)); Brussels, 9 October 2003).

[611] See details in, Amnesty International, 'Israel/Gaza: Operation 'Cast Lead': 22 Days of Death and Destruction', (London: Amnesty International, July 2009). p. 6-64

[612] Author's Interview, 'Ilan Pappe', *Historian and Expert in the Israeli-European relations* (Exeter/UK, 12 November 2012).

effective and persuasive than using the language of commands and obligations.[613]

Alastair Crooke fully agreed with this assessment. He had been shocked by the decision of the British government and the Council of the EU to cut ties with Hamas. Not only would this interrupt the significant efforts he had exerted between 2000 and 2003 to achieve a kind of breakthrough with Hamas in its policies and attitudes on the ground, but at the same time it would also block any possibility of influencing the movement in the future.[614] Given that the new approach chosen towards Hamas was a one-way exercise, this meant boycotting Hamas, stopping all official communications with it and thereby using the same language of power and threat that had so far been applied by both the US and Israel. Thus, having despaired of taming Hamas or turning it in another direction through dialogue (and public elections later), the EU, as noted by Gazi Hamad,[615] continued to follow its normal alliance policies regarding Israel and the US, and opted to activate a big-stick policy, in theory and in practice, against Hamas in Europe and in Palestine itself.

However, it is important to point out that even though Hamas was consigned to the EU's list of terrorists, it should not be assumed that political contacts with the movement were also forbidden. Close scrutiny of statements issued and reissued by the EU since 2001 gives no indication that communications with Hamas were prohibited. Accordingly, with regard to those entities on the EU's 'inventory of terrorists', these EU Council statements appear to have assumed that "the European Community shall order the freezing of the funds and other financial assets or economic resources of persons, groups and entities listed" not to cut talks with them.[616]

Many officials from the EP have defended this understanding of the EU statements, but to no avail. According to a member of ME Unit in the EP, who preferred not to be named, there is an obvious lack of knowledge regarding this issue; freezing the financial assets of those committed to terrorism does not mean suspending political contacts with them. He described his desperate attempts in the EP to highlight the difference between the two issues as being like "a lone voice in a desert". In his opinion, the way the EU had decided against Hamas, and the subsequent suspension of communications with the movement, had come about

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[613] Author's Interview, 'Ivo Vajgl', (Brussels, 28 June 2012).
[614] Crooke, 'Permanent Temporariness', p. 24-25
[615] Author's Interview, 'Gazi Hamad', (Gaza Strip, 18 February 2013).
[616] EU, 'On the Application of Specific Measures to Combat Terrorism'. 2001

because of the EU's reliance on the US and its exclusive relations with Israel.[617] Margrete Auken (MEP and Vice-Chair of the Delegation for Relations with the PLC) maintains that the EU's procedures against Hamas were undoubtedly wrong and the subsequent boycott was unreasonable. Even if Hamas was on the EU's list of terrorist organizations, communications with it should not have stopped. The EU needed to remember how the US had put pressure on the UK to conduct negotiations with the Sinn Féin in Northern Ireland, although Sinn Féin was on the US list of terrorist organizations.[618] Maintaining the boycott against Hamas for so long without any solid grounds exemplified the extent of the EU's dependence in its foreign policy, and its lack of courage.

With regard to the extensive, socially-constructed infrastructure that the Hamas movement had succeeded in building in the Palestinian territories, numerous examples of cooperation between European-based associations and Hamas's own social network have duly been sought out and banned. Notably, received many donations from European Islamic supporters, Hamas cooperatives are no longer able to collect such contributions, even though this aid is directed only to social purposes such as educational and health institutions or the impoverished.[619] As a result, the activities of supporting agencies in Europe have also been actively targeted or closed down, and contributions to Hamas-related associations or charities are significantly reduced following pressure from Israel.[620] In Palestine, Hamas had become a security issue and, as the EU demanded, was expected to have been effectively restricted and dismantled by the PA. According to the Roadmap launched by the Quartet Committee on 24 June 2002 and then agreed, with reservations, between the PA and Israel, the Palestinians were regularly asked to renounce violence and to disband their military factions, including Hamas.

Thus, the PA certainly pursued some groups belonging to Hamas and jailed them, but lacking ability and political will was unable to end Hamas's military power on the ground. In a similar manner to the mechanism used by it, as mentioned above, the EU openly spent significant time and money in its diplomatic communications with the PA in an attempt to stop the Al-Aqsa Intifada. At the same time, it continued to condemn the Palestinian resistance against the Israelis and boycott the Hamas movement. In consequence, the EU

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[617] Author's Interview, 'Anonymous/ Middle East Unit in EP', (Brussels, 14 May 2012).
[618] Author's Interview, 'Margrete Auken', *MEP, Vice-President Delegation for relations with the Palestinian Legislative Council* (Brussels, 26 June 2012).
[619] Author's Interview, 'Daud Abdullah', (London, 9 January 2013).
[620] Government of Israel, 'Hamas's Use of Charitable Societies to Fund and Support Terror ', in Israel Ministry of Foreign Affairs (ed.), (Jerusalem, September 22, 2003).

abandoned persuasion and dialogue as a method of changing the Hamas dossier and adopted a more clinical choice but in the hands of the PA and Israel.

New Era with the Death of Arafat

After being besieged in his office on 29 March 2002, and seeing the massacres perpetrated against Palestinians in Al-Aqsa Intifada as evidence of the absence of a partner in the Israeli government, Arafat's view of the political situation implicitly reflected the loss of hope in the peace process with Israel. Significantly, the US and Israel declared Arafat an obstacle to peace and called on others in international society to boycott him.[621] The EU's representatives tried to maintain diplomatic channels with Arafat in the hope of affecting his attitudes towards the Intifada, but over time he became completely besieged, until his suspicious death on 23 November 2004.

During this period of siege, there were many Western attempts to redistribute Arafat's power and to affect his control of the Palestinian security sector which, had Arafat agreed, should have had a significant part in ending the armed resistance. In this connection, and as a result of the reform process, Abbas was put next to him for the first time as a Prime Minister, to play the role that Arafat had refused. This change, which happened under pressure,[622] was backed by the EU and the US alike, in the hope that Abbas could stop the Palestinian resistance which constituted a huge challenge to the peace process; both the EU and the US were outraged by every armed Palestinian operation against the Israelis. Therefore, the ME Quartet "support[s] immediate Palestinian action to restructure and consolidate, under Prime Minister Abbas, all security services, and calls on all states to assist in such efforts'.[623]At this weighty juncture Western hopes were renewed and rebuilt on the new Palestinian leadership represented in President Abbas who did not hide his negative response to the armed Intifada.[624]

Following this political development, and accompanied by the heavy Israeli stick used to suppress the Intifada, a new political atmosphere began to develop in the PA, characterized mostly by Palestinian cooperation with the West's efforts to reform the PA according to a new political dogma compatible with the regulations mentioned in the Roadmap. The US and

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[621] The New York Times, 'Israel Calls Arafat Obstacle to Peace Effort', *News*, accessed 13 February 2013.
[622] Graham Usher, 'The Palestinians after Arafat', *Journal of Palestine Studies,* 34/3 (2005), 42-56.
[623] MEQ, 'Statement by the Quartet', (Dead Sea (Jordan), 22 June 2003).
[624] BBC, 'Arafat's Death: Global Reaction in Quotes ', *News*
   <http://news.bbc.co.uk/1/hi/world/middle_east/4001697.stm>, accessed 20 February 2013.

the EU shared this duty, focusing on the political, security and financial sectors in order to legitimize the new Palestinian leadership which lacked the revolutionary charisma of Arafat.[625] Without the personality of his predecessor, Abbas would be strengthened by legitimacy at the ballot box, which would reinforce the man and his approach. This, from a Western perspective was considered more rational than Arafat's leadership. Consequently, Abbas easily won the Palestinian presidential elections on 9 May 2005 achieving a participation rate of 62.52 percent of voters in the electoral process.[626] Hamas boycotted these elections, but participated later in the parliamentary and municipal elections in 2005 and 2006 respectively.

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[625] Rami Nasrallah, 'Profiles: The Death of Yasser Arafat: Ramifications for the Palestinian Political System and the Future of the Conflict', *Mediterranean Politics,* 10/2 (2005), 203-10.

[626] Central Elections Commission (Palestine), 'Presidential Elections Final Results (2005)', *Statistics* <http://www.elections.ps/Portals/0/pdf/SummaryPresidentialElectionsFinalResults2005.pdf>, accessed 25 May 2013.

Section Two: Democratic Rhetoric: Realistic Practice

> The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law.[627]

Paradox No.1: Contradiction between Democratic State-Building and the National Liberation Process

Significantly, the debate as to whether the Palestinians were in a period of democratic state-building or an era of national liberation has been valid within Palestine as well as among outsiders since the Oslo Accords in 1993. Contrary to the perceived views of Hamas which finds no contradiction between them,[628] from the EU perspective these two phases have had different requirements and it was a foregone conclusion in favour of the notion that Palestinians were in an era of building rather than of liberation in its classical sense. There was, therefore, an obvious contradiction between engaging in what the EU called 'violent actions' on the one hand and participating in a democratic electoral process on the other.[629] Hence, those who wanted to participate in the general Palestinian elections were advised by the EU to change their minds if they wished to engage in the democratic process.

> The Council welcomes the Palestinian Authority's statements condemning violence and urging Palestinian groups who have engaged in terrorism to abandon this course and engage in the democratic process. The Council recalls the EU's position that all factions, including Hamas, should renounce violence, recognise Israel's right to exist, and disarm. Ultimately, those who want to be part of the political process should not engage in armed activities, as there is a fundamental contradiction between such activities and the building of a democratic State.[630]

Therefore, from the EU side it was clear that recognizing the right of Israel to exist and abandoning 'resistance' in addition to disarming, were the criteria that Hamas should have

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[627] EU, 'Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union'. Art 21:1

[628] Author's Interview, 'Ahmed Yusef', *Political Advisor of the Hamas Prime Minister* (Gaza Strip, 25 February 2013).

[629] EU, 'Javier Solana, EU High Representative for the CFSP, Pleased with Rafah Border Crossing Management, Appeals to Palestinian Militant Groups to Renounce Violence ', in European Commission (ed.), (Press Release; Brussels, 19 December 2005).

[630] EU, 'Press Release 2691st Council Meeting', in Council of the European Union (ed.), (14172/05 (Presse 289); Brussels, 21-22 November 2005).

adopted when it thought about participating in the general Palestinian elections on 25 January 2006. In fact, the EU did not raise its voice obviously against Hamas's participation, as it would have done had it planned, in the event of its advice being overlooked, to ignore the outcomes of the democratic vote. The EU felt that the outcomes might be significant (though not to the extent of the striking success that Hamas actually achieved). It therefore nominated a special committee to monitor the elections[631] but did not express its reservations about Palestinian factions that did not meet EU perceptions, as noted above, or about those stigmatized as terrorists according to its regulations. Otherwise, the EU should have explained how it had agreed to observe and fund an electoral process whilst significant players in that process were terrorists.

Contrary to the intention of Hamas, which participated to protect the resistance project,[632] the Europeans thought that the parliamentarian way could have tamed Hamas had the movement gained a significant minority in the PLC as the containment policy[633] itself suggested.[634] In Ahmed Yousef's view, the EU monitored the elections to close the road in front of Hamas by questioning the integrity of the elections after celebrating a triumphant Fatah as the EU had predicted.[635] Yet, following this prediction, the most important objective of such elections was to foster the ME peace process by enabling the new Palestinian leadership. This had been mentioned repeatedly by the EU; thus,

> The Council underlined the importance of the forthcoming elections for the Palestinian Legislative Council as an essential element for progress in the peace process. The Council emphasised that violence and terror are incompatible with democratic processes and urged all factions, including Hamas, to renounce violence, recognise Israel's right to exist, and disarm. The Council urged Israel to facilitate the preparations and conduct of the elections, including in occupied East Jerusalem.[636]

It could be said that the EU, like Israel and the US, counted on their false readings of the Palestinian political scene by considering Fatah an unbeatable faction; a matter that

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[631] See European Union Election Observation Mission, 'West Bank and Gaza Strip Palestinian Legislative Council Elections', (Brussels, 25 January 2006).

[632] Sadiki, 'Reframing Resistance and Democracy: Narratives from Hamas and Hizbullah',

[633] 'Containment policy' was intended as a tactical policy and in effect was used by the US and EU, by means of democracy, to keep the influence of Hamas out of the peace process launched after the death of Arafat in late 2004. Accordingly, it was assumed that Hamas's participation in such a democratic process would confine its resistance inside the newly-elected PLC in the event of it achieving small number of seats, as public surveys had predicted it would.

[634] Zaanoun, 'The European Union's Policy Towards the Islamic Movements in the Arab Region: A Case Study of the Islamic Resistance Movement (Hamas), 2001-2007 [Translated]', p. 100

[635] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

[636] EU, 'Press Release 2687th Council Meeting General Affairs and External Relations', in Council of the European Union (ed.), (13622/05 (Presse 274); Brussels, 7 November 2005).

unintentionally led them to pave the way for Hamas to win this very important round in the long political battle between it and them.

After the election results appeared on 26 January 2006, the EU reiterated its stance towards the necessity of abandoning the violent way pursued by Hamas and other Palestinian factions in their resistance.[637] Concerning the success of Hamas, the EU's emphases have become more important due to the fact that Hamas had come to power and not as a minority in the PLC as it was expected to be.[638] Instead of leaving the newly-elected Palestinians to determine their priorities and thereby resolve contradictions in their discourse without being put under pressure, the entire body found itself placed under rigorous EU and US (rather than Israeli) conditions and requirements; a matter which complicated the Palestinian political scene and greatly hardened the internal situation. Any concessions could have been given by the elected body in this regard might have appeared weakness in front of the Palestinian constituencies. Therefore, according to Hamas, the matter has become not only an issue of national dignity but also a matter of credibility that should have been maintained by the democratically-elected majority in the PLC. Thus, from the EU's perspective the perceived contradiction between violence and the democratic process is not the same as that of Hamas and other similar factions. In fact, according to Hamas the Palestinians are still going through the liberation process which implies activating all possible methods of resistance, whether they are political or militant means.[639] Hence, the conflict between the EU and Hamas perceptions has significantly put the two parties on opposite sides.

Palestinian Democracy, from a Demand to a Dilemma

According to the internationally-backed Roadmap, this new era of reconstruction of the PA implied political and economic reforms within it. Hamas had been brought to a new, unpredicted and remarkable socio-political situation which confused the EU's regional agenda. In fact, Hamas was able to make a breakthrough in its classic political position of

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[637] EU, 'Press Release 2706th Council Meeting General Affairs and External Relations', in Council of the European Union (ed.), (5565/06 (Presse 22); Brussels, 30-31 January 2006).

[638] Two well-known surveys carried out in Palestine showed that 25% would vote for Hamas while 43% would vote for Fatah (29-31 December 2005); approximately three weeks later, 35% would vote for Hamas while 42% would vote for Fatah List (17-19 January 2006). See; PCPSR, 'Press Release; Special Public Opinion Poll on the Upcoming Palestinian Elections 29-31 December 2005',
<http://www.pcpsr.org/survey/polls/2005/preelectionsdec05.html>, accessed 15 June 2012. Also PCPSR, 'Press Release; Special Public Opinion Poll on the Upcoming Palestinian Elections 17-19 January 2006',
<http://www.pcpsr.org/survey/polls/2006/preelectionsjan06.html>, accessed 20 May 2013.

[639] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

boycotting the Oslo Accords and their implications when, contrary to its well-known twelve-year policy against the Accords, it agreed to participate in the general elections held in 2005/6. Not only did it participate but observers from around the world were astonished when it gained great success in all the electoral rounds for municipal elections and in those for the PA parliament[640] (these elections were described by the European Union Election Observation Mission (EU EOM) as fairly driven and impressively conducted).[641] Although the expectations of these Western-supported reforms were eventually different from the genuine outcomes, the worst predictions did not reach the level of the possibility of Hamas achieving a huge electoral triumph. Surprisingly, none of the decision-makers who had been dealing with the ME in general or with the PA in particular, was adequately prepared to deal with this new era in which Hamas would lead the PA government.

Hence, the EU's initial reaction was one of hesitation followed by embarrassment at the situation in which it found itself. If it had dealt with the outcomes of the elections, it would have found itself cooperating with an obviously terrorist organization on its own list of terrorists. At the same time, had it not cooperated with this democratically-formed Hamas-led government, it would have jeopardized its own interests and normative values, and thereby its credibility. It therefore attempted to influence Hamas's attitude towards the peace process by welcoming the results, reminding the newly-elected PLC of its responsibilities, and laying down guidelines through which the EU could cooperate with, or support the PA.

> The Council welcomed the holding on 25 January of elections to the Palestinian Legislative Council (PLC) and congratulated President Abbas and the Palestinian people on an electoral process that was free and fair. The Council fully endorsed the statement made by the Quartet issued on 26 January… .The Council expects the newly elected PLC to support the formation of a government committed to a peaceful and negotiated solution of the conflict with Israel based on existing agreements and the Roadmap as well as to the rule of law, reform and sound fiscal management. On this basis the European Union stands ready to continue to support Palestinian economic development and democratic state building.[642]

The situation for the EU was now hanging in the balance; on the one hand, the essential processes of democracy ought to have been pursued in support of Abbas, while on the other, democracy had become the dilemma on whose horns most of the political actors in the OPT

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[640] Hamas won 74 seats while its counterpart Fatah achieved only 45 out of 132 seats in the Parliament. See; Central Elections Commission (Palestine), 'The Final Distribution of the Seats of the Palestinian Legislative Council (2006)', <http://www.elections.ps/Portals/30/pdf/PLC2006-ResultsFinalDistributionOfPLCSeats_AR.pdf>, accessed 20 Jan 2013

[641] The European Union Election Observation Mission, 'Statement of Preliminary Conclusions and Findings', (Jerusalem, 26 January 2006).

[642] EU, 'Press Release 2706th Council Meeting General Affairs and External Relations'. January 2006

were stuck. Therefore, every effort had to be exerted by regional and international actors involved in managing this period to solve the impasse, by using political, financial and even military tools. Politically, it was clear that the Hamas-led government would not be recognized internationally until the political requirements stipulated in the statements of the EU and the Quartet had been met. However, many countries including in the Arab world in general, were involved in these political demands, particularly the Egyptian regime which was no less intent than Israel or the Palestinian Presidency in tightening the rope around the neck of Hamas. Accordingly, Hamas kept refusing the political dictates emanating from the Quartet and refused to bargain away its principles with promises of international recognition or money; a position that brought its government to the world's attention.

However, the EU supported the PA for its functional security role in the region rather than for its desire to build a democratic state. In fact, the PA's importance lies in its role of resolving the conflict based on a two-state solution in which Israel would survive peacefully and be recognized as a normal state.[643] The conflict has become the most dangerous conflict in Europe's backyard, and the PA's role represented the stability which could have been achieved in the region if peace had seen the light. Therefore, as a condition for receiving the EU's continuing financial and political support, the PA's main duty would be to assure stability through the struggle against terrorism and violence. As the EU Commissioner for External Relations commented,

> We have worked to maintain the only viable partner in peace that Israel can find and we should continue to support the PA, especially in its fight against terrorism. While the PA has made mistakes and must correct them, the PA is the only structure that can provide stability in the Palestinian territories.[644]

Hence, the security role that was awaited by the EU would be no longer available after Hamas had come to power. The EU feared that the political and financial investments that had been made in the PA could be ruined following this significant change in the political scene. According to Ilan Pappe, the EU perceived Hamas as a real threat to the PA, not only in the Gaza Strip but also in the West Bank, and this therefore implied sacrificing its norms and values.[645] As Hamas had been elected on a specific political agenda it would remain committed to its promises, regardless of the consequences.[646] In the circumstances, the EU

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[643] Chris Patten, 'Speech by Commissioner for External Relations About the Situation in the Middle East', in European Parliament (ed.), (Plenary Session, SPEECH/01/627; Strasbourg, 12 December 2001). 2001
[644] Ibid. 2001
[645] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).
[646] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).

representatives refused any kind of formal communication with Hamas's governmental members, thereby imposing another layer of pressure.

In this regard, the EU was authorized to "spearhead efforts to develop proposals for a Temporary International Mechanism to facilitate the direct delivery of assistance to the Palestinian people to meet basic needs, without the money passing to or through the PA government" that was led by Hamas.[647] Whereas the Palestinian people had expected to reap some reward from their democracy, instead they found themselves sanctioned, and from the starvation of their children, paying the bill for their free democratic choice which had come about contrary to the will of the Israeli-Quartet. According to an EU representative, the Palestinian people "should sooner rather than later realise that HAMAS has brought them only disaster"; a clear indication of the reality behind the sanctions imposed by the EU and its partners against Hamas.[648]

Significantly, in the opinion of many observers and monitors of democracy in the ME, this matter was entirely incompatible with the EU's claims to be a normative entity, and enthusiastic about democracy and good governance.[649] Undeniably, teachings around democracy were heavily contradicted by the EU's behaviour towards the elections in Palestine, and its following attempt, via the Middle East Quartet, to impose stipulations on the winners. As Benita Ferrero-Waldner remarked in a speech, "we cannot work directly with the government that came to power after these elections, as long as it does not accept the basic principles of the Peace Process, advocates violence and does not recognize Israel's right of existence."[650] Due to the fact that "the difference between civilian power and soft imperialism lies in the overall importance of values and norms, and also whether negotiations are carried out in a symmetric, dialogical way rather than by imposition",[651] the EU's determinants of such a position will be emphasized in the following chapters, so as to identify what kind of entity the EU is in dealing specifically with Hamas and more broadly with Palestine; i.e., is it a realistic entity or a normative and civilian one. Consequently, EU policy in this area is investigated, mostly on the issue of whether the Palestinian elections were a

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[647] EU, 'Commissioner Ferrero-Waldner to Visit Israel and the Palestinian Territories ', (Press Release, IP/06/792; Brussels, 16 June 2006).

[648] Frattini, 'From the Outside, Looking In: International Perspectives on the Middle East'. 2008

[649] Are Hovdenak, 'Hamas in Transition: The Failure of Sanctions ', *Democratization,* 16/1 (2009b), 59-80.

[650] Benita Ferrero-Waldner, 'The EU, the Mediterranean and the Middle East: A Partnership for Reform', (SPEECH/06/341; Hamburg, 2 June 2006).

[651] Hettne and Soderbaum, 'Civilian Power or Soft Imperialism? The EU as a Global and the Role of Interregionalism', p. 38

practical contribution to the democratization process of the region by the EU, as has been claimed,[652] or an obvious instance of its failure to deal with the requirements of democracy when its results were at variance with its wishes.

Boycott and Siege in Reply to Democracy: the Sacred Cow

In a response to Palestinian democracy and the subsequent Hamas-led government, Israel and the international community participated in imposing a blockade on the Palestinians,[653] essentially linking any convergence with the new Palestinian representatives to the latters' acceptance of the demands of the Quartet Committee. These demands involved recognizing Israel, renouncing violence, and accepting agreements that had previously been signed with Israel. However, Hamas's negative response to these demands hardened positions towards the movement itself, as well as to the Palestinian people generally and their government. As a result, Israel and the Quartet decided to pressure the newly-elected body until they were sure that all their political requirements had been fulfilled, and inevitably led to a severe socio-economic crisis in the Palestinian Territories.[654] While Israel decided to stop all kinds of facilities from which previous Palestinian governments had formerly benefited, including financial dues, the EU and its allies in the Quartet decided to stop funding the Palestinian governmental budget through the usual channels and to direct its donations to specific sectors, mainly education and health, through the Palestinian Presidency held by Abbas.

Furthermore, the EU refused to open diplomatic talks or political dialogues with the Hamas-led government or those elected to the PLC, while the EU member states prevented Hamas ministers and PLC members from visiting their countries. Those who visited some of these states legally after being invited by European civil societies were, according to Ahmed Yousef, disgracefully detained and deported.[655] This happened to the Health Minister, Bassem Naim, in Holland on 4 May 2007, and to PLC members Ismail al-Ashqar, Salah Bardawil, and Mushir al-Masri in Bulgaria on 14th February 2013 as Ahmed Yousef also confirmed. According to Jarmo Oikarinen, a Member of the EP, this commonly-confessed "wrong behaviour" on the part of the EU against the Hamas-led government stemmed from

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[652] Ferrero-Waldner, 'The EU, the Mediterranean and the Middle East: A Partnership for Reform'.

[653] EU, 'Thematic Evaluation of European Commission Support to Conflict Prevention and Peace Building Final Report', in ADE (ed.), (WB&GS Country Case Brussels, October 2011). Annex 3. p. 4

[654] EU, 'European Neighbourhood Policy Economic Review of EU Neighbour Countries by Directorate-General for Economic and Financial Affairs', in European Commission (ed.), (European Economy Occasional Papers Brussels, June 2007). p. 24

[655] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

"unpreparedness rather than being something which was kind of what would eventually have happened anyway."[656]

This unpreparedness put the EU into a state of confusion, and without checking the usefulness of the criteria imposed on the Hamas-led government, the EU blindly followed the Israeli rhetoric in this regard and adopted the Quartet's demands which, according to a high-ranking official in the EP, who preferred not to be named, had become somewhat of 'a sacred cow'.[657] In view of the fact that as a result of these Quartet demands, the EU had tied its hands and restricted its diplomacy without achieving any success with Hamas, it was obvious that the three conditions had become more of a burden on the EU than on Hamas. Hence, to all intents and purposes the political, diplomatic and financial blockade had become a shared Israeli-international responsibility, albeit to varying degrees.

Accordingly, the direct consequences of the blockade started to affect the Palestinian people directly, especially as the Palestinian economy was/is dependent on Israeli-international financial commitments to the PA. Indeed, the government, which was boycotted financially, politically and diplomatically, found itself besieged and in a very difficult situation since it could not guarantee the salaries of government employees and at the same time, had no significant control over the entire government staff who were loyal to the Fatah movement, particularly those in the security sector. As a result, humanitarian conditions became catastrophic and the rift between the universally-supported Fatah and the internationally-isolated Hamas deteriorated very badly, and eventually resulted in the takeover by Hamas of the Gaza Strip on 14 June 2007.

Although this Hamas control over the Gaza Strip put an end to the civil war between Hamas and Fatah for about a year, the Palestinian humanitarian situation became worse than ever, because Israel straight away imposed a full blockade on the Gaza Strip, and on 18 September 2007 declared it a 'hostile entity'.[658] This vicious blockade affected everything in Gaza including, as stressed by EUHR Ashton, schools, hospitals, housing, and even sanitation.[659]

All commercial relations with Israel and other countries were severely affected after the

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[656] Author's Interview, 'Jarmo Oikarinen', *Directorate-General for External Policies of the Union Policy Department* (Brussels 11 September 2012).

[657] Author's Interview, 'Anonymous/ Middle East Unit in EP', (Brussels, 14 May 2012).

[658] BBC, 'Israelis Declare Gaza 'Hostile' ', *News* [News], (updated 12.02.2013) <http://news.bbc.co.uk/1/hi/7002576.stm>

[659] EU, 'Speech by Catherine Ashton to the European Parliament on the Situation in Gaza', in European Parliament (ed.), (SPEECH/10/315; Strasbourg, 16 June 2010).

Israeli occupation decided to restrict the quantity and quality of what was allowed to enter or to leave the Gaza Strip. Significantly, these new tough procedures led to a very dangerous situation in which unemployment and poverty rates in the Gaza Strip reached unprecedented levels. According to the Palestinian Centre for Human Rights, the unemployment rate in December 2009 had reached 42 percent and poverty rates stood at 80 percent, while the Israelis allowed no more than 25 percent of what was normally required to meet the total needs of the Palestinians to enter Gaza.[660] Moreover, Gaza had suffered "substantial damage to infrastructure and agricultural land, and delivery of public services was constrained by multiple challenges" caused by the lack of supplies, which led to the closure of 95 percent of its industry and left 60 percent of the population 'food insecure', along with the fact that "90-95% of water [was] not suitable for human consumption."[661] In reality, the blockade, imposed by Israel and silently condoned by the EU, apart from some timid calls for Israel to open crossings with Gaza, as discussed later in the thesis, "plunged the Gaza Strip into a deep socio-economic crisis."[662] In effect, the Hamas-led government was experiencing a new kind of siege which had become tougher after it took control of Gaza in 2007.

In responding to the Palestinian humanitarian crisis caused by the blockade and the subsequent war on Gaza, the EU turned itself into a sort of 'Red Cross' association. In addition to its faint calls for the blockade to be eased, or sometimes to be removed completely (which Solana tried to do),[663] the EU took on the role of a charity concerned with the delivering of humanitarian aid to the Gazans, instead of behaving strongly, firmly and loudly against the suffocation of the entire population. The most fascinating position adopted by the EU was during the 'Cast Lead' war against Gaza in 2008/9, in which the EU attempted to compensate for its political and diplomatic weakness in the face of the massacre by calling for,

> Immediate humanitarian action: food, urgent medical aid and fuel should be delivered to the Gaza Strip; the evacuation of the injured and unhindered access of humanitarian workers should be made possible through the opening of crossing points. The European Union, the leading aid donor to the Palestinians, dispatched a

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[660] Palestinian Centre for Human Rights, 'The Illegal Blockade Imposed on the Gaza Strip', <http://www.pchrgaza.org/facts/factsheet-closure-ar.pdf>, accessed 20 May 2012.

[661] EU, 'Humanitarian Aid from the European Commission in the Occupied Palestinian Territory (OPT)', in European Commission / (ECHO) (ed.), (A3; Brussels, 2009).

[662] EU, 'Commission Staff Working Documant Annex to the Report from the Commission Directorate-General for Humanitarian Aid – ECHO Annual Report 2007 ', in Commission of the European Communities (ed.), (SEC(2008) 2236 Brussels, 9.7.2008). p. 44

[663] EU, 'Javier Solana, EU High Representative for the CFSP, Spoke Today on the Phone with Mahmoud Abbas, President of the Palestinian Authority, on the Situation in Gaza', in Council of the European Union (ed.), (S030/08 Brussels, 24 January 2008).

This kind of discourse indeed represented a charity that might be concerned with humanitarian aid rather than representing a very important superpower that had hugely invested in the peace process in the ME, while focussing on human rights, democracy, and the rule of law.

However, the Palestinians caught up in the war were awaiting internationally-supported justice, or powerful interference from such international actors, to halt the rocket bombardments and the killing operations. Had these donations and this kind of discourse come from the Red Cross or similar charitable organizations, it would have been understood and welcomed. But coming from the EU, which had many available alternatives to stop the war on Gaza, it reflected the language of the biased actor in favour of the strong, i.e., Israel, the actor whose attacks were/are somehow justifiable and understandable under the slogan of the right to self-defence in the face of Hamas rockets. Astonishingly, the EU behaved as if what had happened was simply a minor earthquake or so, whereas the situation should have dealt with more seriously, especially after the devastation on the ground and the disastrous images that were widely seen through the media. Ignoring the political side of the conflict and refraining from using its capabilities to stop the war or to deter Israel for its crimes could be considered a kind of collusion by the EU with Israel, and entirely contrary to the EU's commitment to human rights.

Hence, EU policy towards Hamas has been pragmatically driven rather than being normatively motivated. Nevertheless, although the world's image of the EU is generally drawn as if its foreign policy is based on the desire to promote democracy and human rights, the example of Palestine has proved that the EU makes its calculations beyond the norms or values that would be seen as driving factors in this field. These calculations are based on cost and benefits balance and on principles of self-interest rather than morals and ethics, especially when pertaining to the siege imposed on Gaza that plunged the Palestinian people as a whole into daily suffering. As Ilan Pappe notes,

> ...it is a realistic policy devoid of any moral or ethical dimension; it also succumbs to intimidation and fear, a policy that gives in to fear. Even the US, when it invaded Iraq, claimed that it was motivated by an ethical code and that code was democratization, regardless of whether this was right or wrong. But

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[664] EU, 'Statement by the European Union on the Situation in the Middle East', (S417/08; Paris, 30 December 2008).

> the EU does not say 'we boycott Hamas and enable Israel to do what it does in the name of democracy or human rights ... even in the right of Israel to defend itself'. There is no ethical code here; the only thing they do is to say 'we have to follow a policy which is not ours so we follow the American policy'.[665]

Pappe's analysis dovetails with Stefania Panebianco's conviction that the EU's Mediterranean policy shifted after the 1990s and that it was driven by interest-oriented policy focused on security needs rather than by principles, ideals and values, with these elements being "replaced by a more pragmatic vision of the EU's global role".[666] Thus, the absence of an ethical code has submerged the EU into a realistic policy that has affected its normative image and led to paralysis of its diplomatic capabilities as it awaits the US and Israel's signal to change.

Wait-and-See Approach Losing

Due to its preconceived perception of the structure of Hamas and its attitude towards Israel and the peace process, the EU rushed to adopt a boycott approach rather than a wait-and-see approach against the newly-elected body. According to Annemie Neyts-Uyttebroeck, an MEP the EU should have thought twice before taking this decision; "it is not reasonable to say you want elections and then, if the outcomes do not please you to some degree, you boycott the winners and impose sanctions."[667] Presumably, the EU could have respected the results and dealt with the PA in a manner consistent with its democratic legacy and teachings while calling on Palestinians to conduct the elections as a preparatory approach for reform of the political system.

The EU could in fact have adopted the wait-and-see approach instead of the hastily-adopted boycott approach, in order to allow newly-elected individuals time to pick and choose their political choices freely, from a position of authority, and according to what politics dictated. Substantially, behaviour on the ground was more important than theories, and had Hamas been left alone and dealt with accordingly, without being encircled, the movement might have adopted a new behavioural approach towards the conflict without appearing to betray its constituencies or being subjected to the dictates of others, especially Westerners. However, Hamas was certainly not expected to make any dramatic change in its political attitudes under pressure; therefore, a creative mechanism should have been adopted based on respect for

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[665] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).
[666] Panebianco, 'The EU and the Middle East'. p. 183
[667] Author's Interview, 'Annemie Neyts-Uyttebroeck', *Committee on Foreign Affairs in EUP* (Brussels 1 October 2012).

people's choices. This logic was understood in an inter-parliamentary meeting held in 2006 between the European Parliament, the United States Congress under what was known as Transatlantic Legislators' Dialogue. As their recommendations noted, "the international community cannot realistically expect a complete turnaround from Hamas on this question, but responsible behaviour."[668] Hence, it should have been left to Hamas to behave responsibly, without being threatened with starvation and isolation.

Against this background it appeared that after outlawing the movement in 2003, boycotting the Hamas-led government was the second big mistake into which the EU had fallen. Indeed, many of the researcher's EU interviewees confessed that boycotting Hamas had been a mistake; according to an interviewee from the EEAS, who preferred to remain anonymous, Solana had personally revealed that at that turning point in the ME's affairs, the EU's behaviour was absolutely wrong.[669] Significantly, the EU had proved its obvious bias as a mediator by sacrificing its declared values rather than its interests.[670] The presence of Hamas in power should have formed an opportunity to be seized, not ignored or neglected by the international society, and the EU in particular. If any progression was to be achieved in the peace process, any internally-supported Palestinian faction needed to be included, not the opposite; according to Michael Docherty, the European Commission's Europe Aid Geo-Coordinator Palestine (AIDCO) the EU's position towards Hamas in 2006 was a mistake.[671]

Against these views, and finding itself in a corner, isolated, besieged and with nothing to lose, Hamas set out to act in accordance with its theoretical convictions, not essentially through politics. Because of its approach, the EU forfeited a significant diplomatic channel, replacing it by providing huge support to the Fatah movement and to the Presidency of the PA, represented by Abbas whose party had lost the elections as well as their monopoly over the leadership of the Palestinians. Even though Marc Otte, the EU's former Special Representative to the ME peace process, had expressed his point of view on the necessity of dealing with the Hamas-led government but the EU's realistic approach had overcome its normative foundations and objectives. Some weeks after Hamas had been elected, Otte stated in a private meeting with Saeb Erekat, head of the Palestinian Negotiations Affairs

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[668] EU, '62nd Interparliamentary Meeting between the European Parliament and the United States Congress and Transatlantic Legislators' Dialogue (Tld) ', in European Parliament (ed.), (Charleston (South Carolina) and Washington D.C., 1-5 December 2006).

[669] Author's Interview, 'Anonymous/EEAS/Policy Adviser', (Brussels, 22 June 2012).

[670] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).

[671] Author's Interview, 'Michael Docherty', *European Commission EuropeAid - Geo- Coordinator-Palestine (AIDCO)* (Brussels, 1st June 2012).

Department, that "the EU has to deal with the reality of a Hamas-led government. EU must prevent the unravelling of institutions and works in which it has invested."[672] Clearly, his initial view, as well as the logic of 'responsible behaviour', had been put aside, with the EU opting to boycott the Hamas-led government until it fulfilled the Quartet's conditions as set out in its statements.

Proscription was not the only policy pursued by the EU but it resorted implicitly to incitement against the democratically-elected body. Indeed, turning its back on democracy outcomes per se was a big mistake made by the EU,[673] but incitement against the Hamas-led government was one of the EU's realistic tendencies, as could also be deduced from its discourse. Astonishingly, in December 2006 following the formation of the Hamas-led government, Solana asked President Abbas to take whatever steps were necessary to bring the Palestinian people out of the bottleneck after he had failed his 'impossible' mission of forming a national government with Hamas. The EUHR was clear about pushing Abbas to take 'difficult decisions' and assuring him that he could count on the EU's support. As Solana said,

> The President [Abbas] has made tremendous efforts to form a government of national unity. This has been very difficult, impossible, and therefore the President now has to take some difficult decision and, in those decisions, I can tell you clearly, you can count on our support'.[674]

From this kind of discourse, which holds essentially non-normative goals, the role of the EU in hardening the internal Palestinian situation could be seen. According to Ahmed Yousef, the EU and the US remained the prime movers against the democratically-elected government and contributed to the creation of the rupture between Fatah and Hamas; this led to the failure of the eleventh government (of National Unity) and the descent into the morass of infighting.[675] There was no attempt to wait patiently to see whether or not the Hamas-led government could succeed in the long term in bringing stability and peace to the region. Instead, this government from its formation underwent sanctions, destabilization, and incitement from the international community, including the EU. This is proof of the West's

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[672] PA, 'Confidential Memorandum: Meeting Minutes: Saeb Erekat and Marc Otte', in Negotiations Affairs Department (ed.), (Palestine March 21, 2006).

[673] Persson, 'Dilemmas, Paradoxes, Inconsistencies and Double Standards: The EU in International Politics'.

[674] EU, 'Summary of Remarks to the Press by Javier Solana ', in European Commission (ed.), (S345/06; Gaza City 2 December 2006).

[675] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

so-called "schizophrenic attitude towards democracy promotion",[676] and it calls into question the credibility of the Democracy Advocates.[677]

Gazi Hamad spoke of being very surprised, when the EU-Quartet conditions were announced, about the remarkably short time granted to Hamas to adapt itself to the new era. He had been in Europe in the aftermath of the electoral triumph of Hamas in 2006, trying to assess Hamas's new position and the time it would need to adjust its discourse and its policies. As he pointed out, any adaptation process should have been done without the sword of the EU-Quartet's three conditions hanging over the head of Hamas. Conditionality had undeniably complicated any adjustments that could have happened, and had hardened the political situation to an extreme extent.[678]

And as is also discussed in this chapter, despite the negative ultimate objective of Saeb Erekat (head of negotiations in the PLO) with the EU towards Hamas, he considered that failing to give Hamas a chance to govern would be "a strategic mistake", because, in this case, it would mean that Hamas would not itself fail but would be made to fail by Fatah and its international ally;[679] a matter that would increase the political balance in favour of Hamas. Furthermore, according to Ioannis Kasoulides, a member of the Foreign Affairs Committee in the EP, as well as MEPs Ivo Vajgl,[680] and Kyriacos Triantaphyllides,[681] boycotting the democratically-elected Hamas in 2006 had been a slip-up; "it was an opportunity which we lost and the EU should have given Hamas a chance and the latter might have changed bit by bit as has happened with the PLO itself."[682] According to Tabraz, this triumphant movement should have granted an opportunity to prove whether it would be a boon or bane for the political process in the region.[683] In other words, abandoning the Wait-and-See approach in favour of imposing sanctions and conditions had worsened the conflict in Palestine, and amongst the victims of EU policy had increased feelings of being betrayed by this power that had spent money, time and effort to convince the Palestinian leadership of the need for democracy and electoral representatives.

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[676] Börzel and Risse, *Venus Approaching Mars? The EU as an Emerging Civilian World Power*. p. 15

[677] Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory'. P65. See also Tocci, 'What Went Wrong? The Impact of Western Policies Towards Hamas & Hizbollah'. p. 142-49

[678] Author's Interview, 'Gazi Hamad', (Gaza Strip, 18 February 2013).

[679] Confidential Memorandum, 'Abu Mazen – Ferraro Meeting ', in Negotiations Support Unit (ed.), (Ramallah, 16 MAY 2006).

[680] Author's Interview, 'Ivo Vajgl', (Brussels, 28 June 2012).

[681] Author's Interview, 'Kyriacos Triantaphyllides', (Brussels, 21 June 2012).

[682] Author's Interview, 'Ioannis Kasoulides', *Committee on Foreign Affairs* (Brussels, 28 June 2012).

[683] S. S. Tabraz, ''Homecoming' of Hamas', *Economic and Political Weekly,* 41/7 (2006), 566-68.

It is worth noting that, after years of boycotting the Hamas-led government in Gaza, and the severe humanitarian consequences of that policy, the EU's recent opinion is that Hamas cannot be ignored and "will have to be part of the solution" in the future.[684] This also confirms that the policy, as pursued, has not succeeded either in bringing Hamas to the EU circle or even to achieving a solution without it. The exit strategy from the cage in which the EU now finds itself will be to reconsider its statements, and for the EP to take the lead in this regard. However, as suggested by a European official,[685] MEPs could also approach their Hamas counterparts in the PLC, as they did with their counterparts in the era of dictatorships like that of Ben Ali in Tunisia and Mubarak in Egypt, if this happens it will breach the wall of fear which the EU has built around itself because of its relations with the US and Israel. However, what prevents the MEPs from doing so, according to Ilan Pappe, is electoral calculations and the self-interest of those who wish to be re-elected to the EP or to domestic parliaments.[686]

Paradox No. 2: Human Rights Double-Standard Test

The EU has not complied with its own stated values and norms in the POT. Fundamentally, one of the normative goals of the EU's FP in the world is the enforcement of human rights, democracy, and the rule of law.[687] For this purpose, it has included a special article in most of its agreements with other countries under the ENP umbrella. Amongst these countries has been Israel which signed the Action Plan Agreement with the EU in the year 2000. The Agreement is largely restricted to the implementation of human rights and, as stated in its Article Two, should this commitment be breached all its provisions would be subject to revision. According to Article Two, "relations between the Parties, as well as all the provisions of the Agreement itself, shall be based on respect for human rights and democratic principles, which guides their internal and international policy and constitutes an essential element of this Agreement".[688] Accordingly, in the light of human rights reports, including those issued by the EU institutions themselves, EU-Israeli relations should have been revised and appropriate measures taken. Nevertheless, instead of actions it seems to have been sufficient to deliver words, which have changed nothing in Israel's policies against

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[684] EU, 'Ditchley Foundation Annual Lecture by Javier Solana, 'Europe's Global Role - What Next Steps'?', in Council of the European Union (ed.), (S181/09 Oxfordshire, 11 July 2009). p. 4

[685] Author's Interview, 'Anonymous/ Middle East Unit in EP', (Brussels, 14 May 2012).

[686] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).

[687] See the Preamble of the Charter of Fundamental Rights of the European Union in: EU, 'Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union'. p. 391

[688] EU, 'EU-Israel Association Agreement ', in Coucil of The EU (ed.), (EURO-Mediterranean Agreement, L 147/3; Brussels: Official Journal of the European Communities 21.6.2000). Art 2

Palestinian human rights and the IHL.[689] As the MEP Kyriacos Triantaphyllides confirms, it is not enough for the EU to say 'No' to the Israeli policies in the West Bank and Gaza; it should employ its resources in making Israel respect the IHL.[690]

Despite the obvious cases that have been investigated internationally, Israel has been consistently tolerated by the EU, and has not in practice been accused of, or sanctioned for, its violation of Palestinian human rights; on the contrary, relations have been fostered and strengthened at all levels. According to the principles of the EU sanctions policy,

> [The EU is] committed to the effective use of sanctions as an important way to maintain and restore international peace and security in accordance with the principles of the UN Charter and of our common foreign and security policy. In this context, the Council will work continuously to support the UN and fulfil our obligations under the UN Charter.[691]

Yet the EU has many relations with Israel and according to Margrete Auken, should pressure it to stop its violations of human rights and to adjust its policies in accordance with IHL. [692] However, while such voices may be heard amongst EU staff, others confirm that sanctioning Israel or pressuring it will result in the EU being excluded from engagement in the political process in the ME,[693] or will even cause the process to be suspended, so that ultimately nothing at all will have been achieved.[694] Ironically, the sanctions imposed by the EU against Iran have not prevented it subsequently from engaging in negotiations with the Iranians about their nuclear programme. It could be said that the EU's fears about imposing sanctions on Israel are not justifiable in light of its sanctions against Iran or Syria and other countries in the world. Whereas the MEP Ioannis Kasoulides has supported the notion of imposing sanctions on these countries he firmly refutes the idea of applying the same procedures against Israel because, if imposed, these sanctions would be replaced by the US thus making the whole procedure meaningless.[695] If this logic was sound, sanctions should not have been imposed on Syria in 2012 because Russia and Iran then supported the regime, both the militarily and financially.

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[689] CIDSE, 'The EU's Aid to the Occupied Palestinian Territory (Ii) the Deepening Crisis in Gaza', (Brussels, June 2009). p. 16
[690] Author's Interview, 'Kyriacos Triantaphyllides', (Brussels, 21 June 2012).
[691] EU, 'Basic Principles on the Use of Restrictive Measures (Sanctions)'.
[692] Author's Interview, 'Margrete Auken', (Brussels, 26 June 2012).
[693] Author's Interview, 'Anonymous/EEAS/ME', (Brussels, 11 June 2012).
[694] Author's Interview, 'Jarmo Oikarinen', (Brussels 11 September 2012).
[695] Author's Interview, 'Ioannis Kasoulides', (Brussels 28 June 2012).

By the same token, even if sanctions on Israel were found to be a good idea, it would be impossible, according to the interviewee from EEAS, to secure the unanimity of the 27 member states of the EU for such a procedure.[696] While this, as an abstract idea, is true from one side, on the other it does not absolve Europe from its collective responsibility towards respecting the implications of the Action Plan agreed with Israel. In the opinion of MEP Jarmo Oikarinen, the problem of the Action Plan between the EU and Israel is that, in the event of procedures being breached no specific mechanism is in place to deal with such situations.[697] In fact, there are two reasons why, fundamentally, this justification does not reflect reality; first, because if the human rights pillar itself, as a basis of the agreement, were to collapse the EU, as implicitly understood, would have to undertake a serious revision process; so far no such situation has occurred. Secondly, this action is recognized in principle in the EU treaties themselves, to the effect that,

> Where it is provided, in a common position or in a joint action adopted according to the provisions of the Treaty on European Union relating to the common foreign and security policy, for an action by the Community to interrupt or to reduce, in part or completely, economic relations with one or more third countries, the Council shall take the necessary urgent measures. The Council shall act by a qualified majority on a proposal from the Commission.[698]

The absence of any intention towards sanctioning Israel economically, either partly or fully, as Article 228a quoted above suggests in such cases, has been clarified by MEP Kyriacos Triantaphyllides who said that as well as being rather a meaningless procedure because the US stands behind Israel,

> Sanctions are not always the best route [to take]; however, the goal could be achieved by persuasion through strong argument rather than sanctions. If you look at your opponent, let's say a proud nation that has its own perspectives for the future, you do not try to diminish their pride by imposing sanctions. On the contrary, you should try to apply to this pride and face, which your opponent wants to have for himself in addition to the picture that portrays him, and thereby you should try to influence him.[699]

Although this soft logic might be considered attractive, it reflects the EU's bias towards one party rather the other in the Arab-Israeli conflict. Whereas Israeli pride is respected by the EU, Palestinian pride was not taken into account when the Hamas movement was categorized as a terrorist organization, nor later when sanctions were imposed on its government in 2006, with all the unfortunate results that followed. The EU had evidently turned its back on a

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[696] Author's Interview, 'Anonymous/EEAS', (Brussels, 18 June 2012).
[697] Author's Interview, 'Jarmo Oikarinen', (Brussels 11 September 2012).
[698] EU, 'Treaty on European Union (Maastricht Text)', (O.J. C 191/1, July 29, 1992). Art 228a
[699] Author's Interview, 'Kyriacos Triantaphyllides', (Brussels, 21 June 2012).

signed agreement about human rights when this related to Israel, while making use of this discourse in other international cases; a matter which has affected the credibility of the EU in the world.[700]

Various violations of Palestinian human rights at the hands of the IO have been underscored by the EU institutions but without appropriate EU reaction. According to their reports, Israel has systematically resorted to tightening living conditions at all levels for the Palestinians.[701] The people under occupation are Israel's responsibility, and in this regard Israel should have behaved in compliance with the Fourth Geneva Convention;[702] however, it remains complacent about violating the organizational regulations of the situations of people under occupation. International regulations stipulate that, in the case of occupation, "starvation of civilians as a method of warfare is prohibited", as are all kinds of attacking or destroying "indispensable objects to the survival of the civilian population", regardless of what the motive might be.[703] In fact, Israeli behaviour throughout the conflict has failed to respect any of these prohibitions.

From the perspective of the MEP Paul Murphy, the EU and the US did not react adequately because they never do unless their own interests are threatened–which is a realistic illustration of the nature of such superpowers in the world.[704] According to an interviewee from the EEAS, the EU does a lot behind the scenes; however Israel does not listen.[705] Closed meetings took place between specialized delegations and were intended for discussing relations between the EU and Israel, according to the Action Plan that had been signed between them. However, such unlawful Israeli obstinacy would be taken care of through more dialogue with the occupying authority, in deference to its powerful status, whereas the political stubbornness of Hamas, as the weak party in the conflict, was dealt with by sanctions, and boycott, again confirming the double standards applied by EU policy in this regard.

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[700] EU, 'Palestinians See Europe as Not Being Consistent, Proinsias De Rossa', (News; Brussels: European Parliament, 01-06-2011).

[701] EU, 'Implementation of the European Neighbourhood Policy in 2007' Progress Report the Occupied Palestinian Territory', in Commission of the European Communities (ed.), (Commission Staff Working Document SEC(2008) 400; Brussels, 3 April 2008). p. 5

[702] UN, 'The Fourth Geneva Convention; Convention (IV) Relative to the Protection of Civilian Persons in Time of War', (August 12, 1949). See Articles 70, 77, 132.

[703] OHCHR, 'Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol 1) (2nd Part)'. Art 54

[704] Author's Interview, 'Paul Murphy', *MEP, Member of the Committee on International Trade* (Brussels, 21 June 2012).

[705] Author's Interview, 'Anonymous/EEAS/Policy Adviser', (Brussels, 22 June 2012).

Although such devastating policies have escalated to the level of war crimes (e.g., the 'Cast Lead' operation in 2008-09),[706] the EU found it sufficient to launch verbal condemnations only,[707] and the Israeli state was merely urged "not to resort to disproportionate action, to avoid the destruction of civilian infrastructure.[708] On another occasion, when Israel targeted the only power station in Gaza in June 2006,[709] the EU stressed that "everything must be done to prevent humanitarian situation from worsening". It was enough to call for an urgent move to restore power for hundreds of thousands of Palestinians whose homes no longer had electricity.[710]

In addition to targeting this vital resource of life for Gaza's people, Israeli violence was also aimed at schools, hospitals, agricultural lands and civilian neighbourhoods, but needless to say was not regarded as terrorism by the EU, whereas the Hamas rockets fired into Israel were always considered as such, even though they left no significant casualties compared to the casualties amongst Palestinians; they were sharply and loudly condemned but no attempt was made to understand the motives behind such Palestinian behaviour. Yet, the violations of Palestinian human rights, which have constituted severe examples of internationally-prohibited violence, have failed to convince the EU to revisit its relations with Israel, based on its own normative and declared foreign policy goals.

The discourse used by the EU is characterized by the language of inducement rather than the language of sanctions and threats. Therefore, observers have found no indicator of threats or anger against Israel in the EU's documents, whereas this is extensively found in the Palestinian case. Accordingly, the EU "urges" Israel, has to "persuade"[711] Israel, expresses "its urgent concern"[712] about humanitarian conditions for example in Gaza, and "calls on"[713] Israel to allow aid to reach the people. Significantly, the EU's use of these indulgent words and phrases in its reaction to the humanitarian plight of the Palestinians indicates how

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[706] For details see; Amnesty International, 'Israel/Gaza: Operation 'Cast Lead': 22 Days of Death and Destruction'.

[707] CIDSE, 'The EU's Aid to the Occupied Palestinian Territory (Ii) the Deepening Crisis in Gaza'. p. 3

[708] EU, 'General Report on the Activities of the European Union 2006 ', in European Commission (ed.), (ISSN 1608-7321; Brussels & Luxembourg, 2007). p. 190

[709] See, B'TSELEM, 'Act of Vengeance: Israel's Bombing of the Gaza Power Plant and Its Effects, Sept. 2006', *Publications* <http://www.btselem.org/publications/summaries/200609_act_of_vengeance>, accessed 24 May 2013.

[710] EU, 'Speech by Benita Ferrero-Waldner About the Situation in the Palestinian Territories', in European Parliament (ed.), (Plenary Session, SPEECH/06/434; Strasbourg 5 July 2006). 2006

[711] Patten, 'Speech by Commissioner for External Relations About the Situation in the Middle East'.p. 3

[712] MEQ, 'Quartet Statement ', (S258/07; New York, 23 September 2007).

[713] EU, 'Javier Solana, EU High Representative for the CFSP, Spoke Today on the Phone with Mahmoud Abbas, President of the Palestinian Authority, on the Situation in Gaza'.

different it could have been in the opposite circumstances. Had the Israelis been suffering from violations of human rights by Palestinians, the EU's reaction would undoubtedly have been quite different. To put it in another way, when the victims were Israelis, the EU discourse was firm and clear, contrary to the case if Palestinians were/are the victims, as noted above: "The Union must continue to PRESS [my emphasis] the Palestinian Authority to take concrete steps to arrest and bring to justice those who commit terrorist acts." [714]

Significantly, when the matter relates to Israeli security, '**Pressure** on the PA' is the appropriate expression to use in this context according to the EU, not the policy of '**Persuasion**'[715] that is used with the Israelis. However, the EU's pressure-policy had many degrees of intensity, ranging from political strain to financial compression in order to push the PA forward to fight effectively against those who were called terrorists, "even though this will probably done be at the expense of further democratisation of Palestinian society."[716] Thus, the contradictory policies that were implemented – the persuasion-policy versus the pressure-policy – reflected the reality of the EU's prejudiced positions when the identities of victims or perpetrators were different. Accordingly, the EU's response to Israeli human rights violations, and its insistence on sanctioning Hamas but not Israel at the same level, can be understood as being in accordance with the neorealist school of thought; "when taking action is cheap, that is, when the target is a weak or isolated state with limited or no capacity to reciprocate, sanctions are imposed."[717] This affirms the EU's inconsistency in implementing its sanctions policy on one party in the conflict but not the other, for reasons that cannot be justified.

Paradox No. 3: Bypassing Democratically-Elected Hamas Supporting Emergency Status
The EU and its partners determined that the Hamas-led government had two choices; change or failure. However, from the EU's point of view, if Hamas did not change its agenda and convictions, it should be stifled into giving up. In the EU's discourse, it preferred a 'Hamas-to-change' approach, rather than a 'getting-Hamas-to-fail' approach but this had to be achieved at lightning speed. Unlike the US which, as Marc Otte emphasised, favoured the second approach, the EU "[would] encourage Hamas to change" and would find a way to deal

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[714] Patten, 'Speech by Commissioner for External Relations About the Situation in the Middle East'. 2001

[715] The two concepts of 'Persuasion' and 'pressure' are emphasised here to draw the reader's attention to the huge difference between the two policies adopted by the EU towards the Israelis and the Palestinians.

[716] EU, 'The Role of the European Union in the Peace Process and Its Future Assistance to the Middle East', in ESDP Committee on Foreign Affairs (ed.), (Reports, A4-0042/989: European Parliament, 2 February 1999).

[717] Klaus Brummer, " Imposing Sanctions. The Not So 'Normative Power Europe'"", *European Foreign Affairs Review,* 14/2 (2009), 191-207.

with the situation accordingly.[718] Hence, the EU confirmed that its aim "[was] not to bring about the failure of the Hamas government, but to persuade it to accept [its] criteria."[719] Paradoxically, while the EU's attempt to persuade Israel to lessen its iron grip on Palestinians was by giving advice, its method of convincing Hamas to change was by imposing sanctions and threats. This way of dealing with Hamas meant the EU had no choice but to accept what the Quartet required for Hamas, or alternatively, to let Hamas be brought to its knees under international sanctions. The EU position was clearly illustrated by Solana when he stressed that the EU "does not want in principle to see the Hamas government fail"; nevertheless, in order to be "regarded as a fully-fledged political entity", Hamas was expected to abide by the Quartet's demands, as well as proving its commitment to the rule of law, democratic principles, and the diversity of the Palestinian society.[720] Whereas the political conditions were genuine, in light of the EU's policy with the PA in Ramallah and the authoritarian regimes in the wider ME, the rest of the demands relating to internal Palestinian issues were scarcely to be believed. Thus, the awaited change was related to the peace process and thereby to Israel; otherwise a Hamas-led government would face dire consequences.

Despite efforts to adjust its discourse according to the new situation, Hamas was asked to adopt embarrassing political requirements without being given sufficient time to prove its "responsible behaviour" in these new circumstances.[721] Indeed, the EU was convinced that Hamas could not change its past but could change its future;[722] therefore, the Europeans counted on their sanctions to bring Hamas to the 'house of obedience'. When Hamas took its decision not to change on the basis of the Quartet's coercive conditions, the only EU response was to pursue the 'getting-Hamas-to-fail' approach instead. Hence, the EU and the US both perceived Hamas's electoral victory as one of their own errors that should not have occurred. But since this had happened, they had to regain the initiative and influence the Hamas-led government so that it would fail, lest others in the region might follow its political path; it "must be seen to fail".[723] Therefore, every effort was exerted to guarantee one or other of the two choices; accept failure or undergo change. In this regard, the EU and other international entities used the power of sanctions and political pressure, while the military pressure on

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[718] PA, ' Confidential Memorandum: Meeting Minutes: Saeb Erekat and Marc Otte'.
[719] EU, 'Plassnik: No Taxpayers' Money to Finance Violence or Terrorism', in Council of the European Union (ed.), (Press Releases; Luxembourg, 10.04.2006).
[720] EU, 'Speech by Javier Solana before the European Parliament About the Middle East Peace Process', in European Commission (ed.), (S101/06; Strasbourg, 5 April 2006).
[721] Author's Interview, 'Gazi Hamad', (Gaza Strip, 18 February 2013).
[722] EU, 'Speech by Javier Solana before the European Parliament About the Middle East Peace Process'.
[723] EU, 'Report on the Transatlantic Legislators' Dialogue 61st EP/US Congress Interparliamentary Meeting'. p.3

Hamas was left to Israel. In similar vein, some of the Palestinian security forces took the initiative to put spokes in the government wheels, for the purpose of pushing it to fail.

In their attempts to lessen the consequences of the siege on the Hamas-led government and the severe socio-political situation in Palestine, Hamas and Fatah reached a common understanding to bypass the crisis that had emerged. This settlement, known as the Mecca Agreement, was mediated by Saudi Arabia on 8 February 2007 and was based on a previously-agreed statement, finalised on 25 June 2006, called the 'Prisoners Document'. Significantly, Hamas showed "unprecedented flexibility" over both settlements;[724] this was seen as a move towards fulfilling the international conditions. Hamas had agreed to respect the previously-signed agreements between the PLO and Israel, and authorised the PLO to negotiate with Israel, with the proviso that any final agreement would have to be approved by the Palestinian people in a public referendum.

Given this progress, a National Unity Government (NUG) was established, consisting of members from the main Palestinian factions and led by Hamas. While the EU was ready to deal with the independent members of the government, it refused to open diplomatic channels through those who belonged to Hamas. Thus, despite the flexibility shown by Hamas and the new common political programme between it and Fatah, the EU, backed by the Quartet, insisted on the same political demands being loudly and clearly spoken. Although this represented a good opening for the EU to rebuild its position towards Hamas, it failed to benefit from the opportunity.[725] Apparently, the EU followed the US position regarding this government, and did not seize the chance to move forward and build on what had been achieved.[726]

Israel's attitude to Hamas as well as the EU and the leadership of the PA was clear enough from the beginning. Like the EU, Israel sought to get Hamas to fail, but in addition it remained in contact with the Palestinian security sector, represented by those who were loyal to the Presidency of the PA. According to the Israeli delegation to the security meeting with the PA, the US, and other regional security parties, following the formation of the Hamas-led National Unity Government in March 2007,

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[724] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).
[725] Pace, 'Interrogating the European Union's Democracy Promotion Agenda: Discursive Configurations of 'Democracy'from the Middle East', (Also see Pace, 'When Liminals Interact EU-Hamas Relations'.
[726] Paul Morro, 'International Reaction to the Palestinian Unity Government', in Congressional Rsearch Service (ed.), (CRS Report for the Congress; Washington, 9 May 2007).

> If Hamas, supported by its Shiite sponsors (Iran and Hezbollah), makes gains, it [would] have a great impact on the ME. Therefore, these regional powers are the key to solving the challenge, since Hamas gets money, weapons and political support from these powers. If we fail, we put the future of our children at stake.[727]

Therefore, these partners perceived the failure of Hamas as a common goal, due to the unique entity that the Hamas movement might become in the event of its success in the leadership of the PA and its impact in the wider ME. Over the period of a year, some of the Palestinian security forces, led by Mohammad Dahlan and Abu Shaback, had significantly failed to topple the Hamas-led government, despite fabricating a variety of crises, including, *inter alia*, military clashes with Hamas forces; it was this matter that led to the division between the West Bank and Gaza Strip in June 2007. Notwithstanding, and with the aim of isolating Hamas's agenda and ideology, the PA continued these attempts to achieve a political breakthrough in the negotiations with Israel. In its attempt to convince the EU of the need to make genuine efforts in this direction, the PA's objective went beyond a Hamas failure in the Gaza Strip. According to Saeb Erekat, the PLO's Head of Negotiations, in a confidential memorandum, "If Hamas fails in Gaza the whole Brotherhood movement in the Arab world will fail. They have to fail. If we come with a good peace agreement, people in Gaza will revolt against Hamas. They will be finished."[728]

Hence, not only would Hamas fail but so would the entire Muslim Brotherhood, through politics and not just through the sanctions regarded as necessary by the PA. Therefore, in this respect all the political partners perceived the end of the Hamas-led government in their own way, and although having different means, they have all had the same purpose. Contrary to the democratic logic sustained by the EU over time, the outcomes of democracy as represented in Hamas should have been seen as failing in the running of the PA, a matter which contradicts the principle of the rule of law as a supposed impelling value for the EU sanctions that were imposed on Hamas.

In such a context, the EU has had no option but to keep on supporting Abbas so that he can be used in getting the peace process-based solution on track without the need to pass through Hamas. This has been reaffirmed by the Council of the European Union several times, emphasizing the crucial role of Abbas in "ensuring stability" in the region by pursuing "a

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[727] Confidential Memorandum, 'Meeting Report 2nd Quadrilateral Security Meeting ', in Negotiations Support Unit (ed.), (Ramallah 3 April 2007).

[728] Confidential Memorandum, 'Meeting Notes Saeb Ereikat Solana Meeting ', in Negotiations Support Unit (ed.), (Ramallah, 02 09 2007).

peaceful solution of the conflict with Israel."[729] Accordingly, based on the principle of non-engagement with Hamas, the EU has shown strong support to Abbas in his stand contradicting the choice of Hamas.[730] Under the financial and political pressure exerted on Hamas by the EU-Quartet, the internal situation of the Palestinians sank into the gutter until Hamas ended the exceptional confrontation with the PA security forces which were loyal to Abbas in Gaza. However, during this exceptional disputation between the two parties, hundreds of people on both sides were killed in the clashes, and in-house security was minimal. Indeed, as Carolin Goerzig argues, the EU had a stake in the polarization between Fatah and Hamas through its policies against the latter.[731] Eventually, the decisive actions of Hamas were faced with exceptional presidential reactions in Ramallah, ending with the dismissal of Ismail Haniyeh, the Hamas Prime Minister, and the declaration of a state of emergency on 14 June 2007; the formation of an emergency government led by Salam Fayyad followed on 17 June 2007.[732]

Colonial EU Attitude or Not: Paradoxical Discourse

Oblivious to the democratic outcomes and the reconciliation agreement between Hamas and Fatah in Mecca, and the subsequent National Unity Government in March 2007, the EU remained enslaved by its previous attitude towards Palestinian democracy, systematically making the same demands on Hamas, and boycotting its members in the new Palestinian government while talking to independent figures and Fatah members.[733] Despite the progress that had been achieved in the manifesto of the new government as previously mentioned, the international position did not change, eventually reaching the point of declaring the state of emergency and the subsequent emergency government. Significantly, the Hamas-led government continued to function in the Gaza Strip, on the basis of the results of the democratic elections in 2006, and ignoring the declaration of emergency status and the Presidential decisions against its leadership, while Salam Fayyad led an emergency government sustained by President Abbas and the Fatah movement. The EU, as represented in the Council and the Parliament alike, immediately condemned Hamas for its actions in

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[729] EU, 'Press Release 2706th Council Meeting General Affairs and External Relations'.

[730] See CIDSE, 'The EU's Aid to the Occupied Palestinian Territory (Ii) the Deepening Crisis in Gaza'. 2009.p.3

[731] Goerzig, 'Engaging Hamas: Rethinking the Quartet Principles'. See also Pace, 'When Liminals Interact EU-Hamas Relations'.

[732] Palestinian Authority, 'Presidential Statements Number 9 and 13', (Ramallah, 2007).

[733] Morro, 'International Reaction to the Palestinian Unity Government'.

Gaza and its subsequent seizing of the Strip,[734] while putting its weight behind Abbas and his government, and supporting both the state of emergency and the emergency government, deactivating the logic of the rule of law as one of the EU's inspiring presumed norms.[735]

After the political and geographical divide that had resulted from the external and internal pressures imposed on the Hamas movement, the EU realized that the new situation would jeopardise all its investments in the PA, led by Fatah, and that the PA should have been supported regardless of what democracy might have said. Therefore, it resumed its direct financial and political support to the PA's emergency government in Ramallah, and started to draw the international community together to sustain it thereafter as a permanent government in the face of Hamas in Gaza. Thus, the EU censured Hamas and understandably adopted Fatah's points of view and attitudes towards the conflict between the two parties. Indeed, in full accord with Solana's previously-mentioned address regarding incitement against Hamas, the EU behaved as if it was desperate to see an end to Hamas's leadership of the PA government. In her interpretation of this behaviour, the MEP Annemie Neyts-Uyttebroeck claims that the EU had been very scared of having Hamas in government and was relieved when they saw other Palestinians forming a government without Hamas.[736] It had therefore lifted all the restrictions imposed in the era of the Hamas-led government and had resumed its support for Fayyad's government, even though the latter was not covered legitimately by the PLC. This is why the EU has been accused of being a supporter of authoritarian regimes regardless of the democracy outcomes under such regimes.[737]

It was obvious that the EU had again turned its back on Palestinian democracy when it supported someone in the Palestinian government who had gained just three seats in the 2006 PLC elections, in which Hamas gained 74 seats. When Marc Otte was asked how the EU had accepted this coup against democracy, represented in the nominating of Salam Fayyad, supported by the minority in the PLC, he remarked that

> Regardless of the democratic elections results, it is not the EU's business to go and solve this dispute over the legitimacy of a government. It is an internal Palestinian affair, and we are not a colonial state to impose this attitude; it is not our business to

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[734] EU, 'General Report on the Activities of the European Union 2007 ', in European Commission (ed.), (ISSN 1608-7321; Brussels & Luxembourg, 2008). p. 209-210

[735] EU, 'Press Release; 2809th Council Meeting General Affairs and External Relations ', in Council of the European Union (ed.), (10657/07 (Presse 138); Luxembourg, 18 June 2007).

[736] Author's Interview, 'Annemie Neyts-Uyttebroeck', (Brussels 1 October 2012).

[737] Aisling Byrne, 'Europe: Building a Palestinian State or Fragmenting It?', *The Europeans Foreign Policy towards the Palestinian Issue* (Beirut: Al-Zaytouna Centre for Studies and Consultations, 2010). p. 8-10

go and dictate to another party how they should compose their government.[738]

Paradoxically, it is not the EU business to dictate the legitimacy of Fayyad's government because, as Otte said, the EU is not a colonial state. From the points of view of other MEPs, the EU is a soft power and it cannot impose specific policies on others in the world.[739] If that is so, then what could be said about the EU's intervention in the Hamas-led government in 2006 and the subsequent National Unity Government in 2007? And what could be said about the EU interventions, not only in the configuration of these governments but also in their political manifestos, clearly aimed at trying to impose particular political attitudes on Hamas and its partners. In spite of the agreement between Fatah and Hamas that was supported by all the Palestinian factions in the Mecca Agreement in February 2007, why did the EU, as "the presumed soft power",[740] insist on refusing all the agreed formulas? Further, what could be said about the boycott and the siege imposed on these governments – was this not a colonial policy against the will of the people? It is obvious that more than anything, these are colonial policies.

Nevertheless, democratic elections were one of the EU pressing demands requested by the EU from the PA leadership in the framework of its perception of the reform, including achieving the rule of law, in Palestine. As previously explained in this research, the emergency government and the subsequent one launched by Abbas without the PLC's approval are very expressive in this regard about the EU's double-standards policy. As MEP Paul Murphy remarks, this double-standard policy reflected the EU's "imperial" attitude; "those who talk about democracy are not really democrats."[741] The outcomes of Palestinian democracy should have been recognized after it had brought Hamas to power because the subsequent EU dilemmas have stemmed from this basic fault. All that can be said thereafter about the EU's inconsistencies is linked to that initial error, as confirmed by a policy analyst from the EP who preferred not to be named.[742] Hence, the support granted to the emergency status and government emanated from that context, which was full of contradictions.

Fayyad has first and foremost admired the EU for his security achievements in the West

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[738] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).
[739] Author's Interview, 'Ioannis Kasoulides', (Brussels 28 June 2012)
[740] Ibid.
[741] Author's Interview, 'Paul Murphy', (Brussels, 21 June 2012).
[742] Author's Interview, 'Anonymous', *Policy Analyst at EP* (Brussels, 14 May 2012).

Bank, for which he specifically received direct political and financial support;[743] this explains the EU's perception of the PA's highly-appreciated security role at the expense of democracy and human rights. It is believed that the EU's perception of stability promotion on its boundaries is built upon the need to reshape the ME through solving the key factor for tension in the region, i.e., the Arab-Israeli conflict.[744] Whereas this could have not been achieved by the EU giving support to Hamas, perceived by the EU as an example of instability even if it had come to power democratically, the EU's objective of maintaining stability in its own backyard would be promoted by supporting Fayyad's government, even if he had been not democratically nominated for his position. As others believe,[745] this again proves the nature of the EU's Mediterranean FP, which in the first place is built on a self-interests determinant rather than on values, as might be claimed.

Conclusion

Inconsistences of the EU's discourse and practice towards the Hamas dossier in the context of Palestinian democracy have been obvious. Its motivations are not its norms and values as it claims; on the contrary, in this regard the EU's realistic tendency has been the driving power of its policy. As Klaus Brummer also concludes, "although norms and values play a role in the EU's sanctions policy, more often than not they are upstaged by security and economic interests."[746] Apart from putting Hamas on its list of terrorist organizations because of its resistance, the EU worked side by side with the PA, calling on it to dismantle the Hamas network and then to contain the movement through the process of public elections. It counted on democracy as a way to contain Hamas violence; however, this did not work with Hamas since contrary to the EU's calculations, Hamas achieved significant results that enabled it to take the lead in the government of the PA and the PLC. Accordingly, the government was faced with sanctions and political conditions from the EU and its partners, in an attempt to compel the Hamas-led government to make concessions that favour Israel's security.

In theory, however, the EU's anticipated behaviour was to stand for its commitment to the norms and values it had previously declared and to give the new democratically-elected body the chance to prove its 'responsible behaviour' amongst Palestinians. With the EU having turned its back on this fact, the subsequent deterioration in Palestinian human rights resulting

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[743] EU, 'Origin of PEGASE?', in European Commission (ed.), (MEMO/08/46; Brussels, 28 January 2008), Ibid.
[744] Morro, 'International Reaction to the Palestinian Unity Government'.
[745] See Panebianco, 'The EU and the Middle East'. p. 194
[746] Brummer, '' Imposing Sanctions. The Not So 'Normative Power Europe''", p. 191-207

from the sanctions imposed by Israel and the Western alliance should have convinced the EU of the need to activate its expertise by making Israel respect the IHL and to reconsider the procedures it had pursued after 2006. Instead, it opted to follow a double-standard policy in this regard, dropping the wait-and-see approach in favour of the top-down method based on commands, conditions and pressure rather than on persuasion and dialogue. This mechanism, constructed of preconceptions and fixed and constant resolutions, confirms the realistic tendency ingrained within the European psyche towards the Palestinian-Israeli conflict rather than the opposite normative trends.

Chapter Six: Resistance -Terrorism Debate in the EU-Hamas Context: Clash of Visions

> Yes, there are circumstances in which [TERRORISM] is justifiable, and yes, there are circumstances in which it is effective. The importance for me is that the South African example proved something remarkable: the apartheid regime looked like a regime that would last forever, and it was blown down. It is hard to argue that, on its own, a political struggle would have delivered. The striking at the heart of a regime's claim on a monopoly of power, which the ANC's armed wing represented, was very significant.[747]

> David Miliband

This chapter scrutinizes controversial concepts; particularly terrorism and resistance in the EU-Hamas context, which constitute the main axis around which both actors are still at variance. Palestinian armed resistance against the Israeli Occupation (IO), as perceived by Hamas, holds the same meaning as the notion of terrorism perceived by the EU in the Israeli-Palestinian conflict. However, the main argument of this chapter is built on the idea that these two divergent perceptions have interactively contradicted, producing the conflicting socio-political relations which have governed the two parties over the past decade or so. In light of the realist-constructivist debate, the contradictory behaviour in EU policy, in terms of what should and should not have been considered terrorism, is socio-politically constructed and built on identities and an interests-based vision towards the conflict in Palestine, not essentially on the norms and values previously declared by the EU.

The researcher has attempted to demonstrate that, if breached by one party in the Palestinian-Israeli conflict, International Humanitarian Law (IHL) would receive different ideologically-motivated reactions from the EU if the same violation occurred through another party. This indicates that the identity of the actor has become the significant factor through which the EU has dealt with definitions of terrorism and resistance, and thereby adopted its policies towards Hamas in the above-mentioned context.

Accordingly, the apparent paradoxes and inconsistences in the EU discourse concerning this debate will be highlighted, and the violence of both Israel and Hamas, along with the EU's reactions, will be scrutinised. An important area that needs to be discussed is Hamas's

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[747] Glen Owen, 'UK Foreign Secretary David Miliband: There Are Circumstances in Which Terrorism Can Be Justifiable', *News* <http://www.dailymail.co.uk/news/article-1206833/David-Miliband-There-circumstances-terrorism-justifiable.html>, accessed 15 January 2013. For the original episode, see; Matthew Parris, 'Joe Slovo', *Great Lives; Series 19* <http://www.bbc.co.uk/programmes/b00lyfm8>, accessed 20-01- 2013.

'resistance dogma' and its perception of terrorism. In light of IHL, the Palestinians' right of resistance against the IO and the way this has been perceived by the EU will be compared with the EU's recognition of the Israeli right of self-defence. Therefore, the case of the abducted Israeli soldier Gilad Shalit along with the EU's reaction will be examined to observe and compare the different reactions towards cases of Palestinian prisoners languishing in Israeli jails. In this regard, and after shedding some light on the Israeli discourse against Palestinians, compared to the Hamas discourse against the Israelis, the realistic tendency of the EU's inconsistences will be clearly examined along with the EU's response in these two specific cases.

Section One: Imbalanced EU Discourse

The EU's myopic policy towards Israel versus its open-eyed policy towards Hamas is investigated in this section. Here I will illustrate the nature of the rhetoric that the EU adopts in dealing with the two parties of the conflict in Palestine.

A Debatable or Fixed Concept: Politicizing the Definition of Terrorism

Terrorism is a controversial topic amongst international and regional organizations, as well as being a debatable concept amongst interdisciplinary scholars.[748] It is one of the rare concepts in IR that so far has not been agreed across the world; therefore, researchers in this field will find more than a hundred definitions, all of which include common elements although differing dramatically in others.[749] Significantly, the main common denominator among these elements and definitions relates to the far-reaching psychological effects beyond the direct targets of such criminal behaviour.[750] Many of the international and regional conventions that tackle this issue have been approved, but essentially no precise definition has been adopted. In fact, these treaties have given descriptions of the acts of terrorism, and measures for fighting such acts around the world, while its exact characterisation remains in dispute. Disagreements spring from the various perceptions of this phenomenon among different cultures and backgrounds.[751] However, this has not prevented regional organizations from agreeing on a specific designation for terrorism that is usually compatible with the socio-political culture of actors themselves.

Significantly, two major obstacles have prevented the UN General Assembly from reaching an agreement on the definition of terrorism, but this has not affected the spirit of cooperation amongst the member states. As Myra Williamson argues, when commenting on the gap between different perceptions of this concept, "the difficulties [in the agreement] arose over the extent to which states and their military forces should be excluded from the

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[748] See this debate about terrorism in the Hamas context in, Tabraz, ''Homecoming' of Hamas',

[749] Myra Williamson, *Terrorism, War and International Law: The Legality of the Use of Force against Afghanistan in 2001* (Surrey: Ashgate, 2009). p. 34

[750] Dmitri Romanov, Asaf Zussman, and Noam Zussman, 'Does Terrorism Demoralize? Evidence from Israel', *Economica,* 79/313 (2012), 183-98.

[751] Maria.R. Haberfeld and Agostino Von Hassell (eds.), *A New Understanding of Terrorism: Case Studies, Trajectories and Lessons Learned* (New York: Springer-Verlag 2009). p. 1

[convention's] provisions."[752] Some of the UNGA's hegemonic countries have insisted on keeping a 'state's acts' within conflicts from being considered when terrorism is discussed, whereas others perceive that state actors or non-state actors are both among those entities and should be under the same umbrella if an investigation has to be undertaken.[753] The second main problem impeding agreement amongst UNGA member states is the need to exclude those who exercise their right to fight against occupation or colonization from being incorporated into the definition of terrorism. However, while one party considers that any kind of fighting perpetrated by armed groups against the injustices they experience under occupation or colonization is not part of the proscribed terrorist acts, the other party does not agree about these exclusions even if relevant to those previously mentioned.[754] In the main, this division in the perceptions of the UN's member states has not barred different kinds of cooperation amongst them; on the contrary, they have agreed on many policies in this regard based on the principle that 'we cooperate as we have agreed upon'.

In light of the above-mentioned debate, regional organizations have built their own policies in fighting terrorism that are compatible with their identities, perceptions, interests, and even alliances. For example, in 1999 the Organization of the Islamic Conference[755] adopted a Convention Combating International Terrorism, the preamble to which excluded the right of resistance to all kinds of occupation and colonization. This was fully compatible with the situation of the Israeli-Palestinian conflict.[756] By the same token, the Council of Europe,[757] for well-known reasons pertaining to Israel and to the European states that contributed to the invasion of Iraq and Afghanistan, such as the UK, has not excluded the right of resistance from its definition of terrorism, and in this regard has not highlighted the role of state or non-state actors.[758] In fact, it is believed by European legislators that the behaviour of states is

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[752] Williamson, *Terrorism, War and International Law: The Legality of the Use of Force against Afghanistan in 2001*. p. 58

[753] Rosalyn Higgins, 'The General International Law of Terrorism ', in Maurice Flory and Rosalyn Higgins (eds.), *Terrorism and International Law* (London and New York: Taylor & Francis, 2002). p.16

[754] See the debate about this in; Ibid. p. 17

[755] The Organisation of the Islamic Conference (OIC) was founded in 1969. It changed its name on 28 June 2011 and is now known as the Organisation of Islamic Cooperation (conveniently retaining the same initial letters).

[756] Williamson, *Terrorism, War and International Law: The Legality of the Use of Force against Afghanistan in 2001*. p. 60

[757] Council of Europe is 'the continent's leading human rights organisation. It includes 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. See: Council of Europe, 'The Council in Brief', <http://www.conventions.coe.int/?pg=/general/IntroConv_en.asp>, accessed 10 July 2012.

[758] Council of Europe, 'Convention on the Prevention of Terrorism', (Conventions, 16.V; Warsaw, 2005). According to this convention, "acts of terrorism have the purpose, by their nature or context, to seriously

already dealt with in other international conventions that formulate specialised legislative conventions about terrorism for non-state actors. Thus, the difference between terrorism and the right of self-determination lies at the very core of the international debate, and is a matter that has had serious consequences for EU politics, as well as for other global entities. Yet in this context, the question remains as to whether the EU has adopted its own definition that is consistent with IHL as well as with the norms and values that it has embraced as the motivation for its FP.

The EU has undoubtedly been highly committed to maintaining the basic norms and values experienced by its peoples over decades since the Second World War. Thus, legislation concerning terrorism has been adopted largely with the intention of keeping their lives peaceful and neither threatened nor disturbed by enemies. Given this context, laws have been drawn up for tackling terrorism. For 24 years following the adoption of the European Convention on the Suppression of Terrorism in 1977 by the Council of Europe, the EU was party to a number of international conventions directed against organized crime, along with other treaties focused on maintaining global peace and security. However, the Council did not give a specific definition of terrorism as much as it adopted descriptions of specific acts that should have been regarded as acts of terrorism to be banned and resisted.

Following the attacks on US targets on 11 September 2001, the terrorism debate was highlighted with the adoption of a new UN Security Council resolution demanding that all the UN's member states should double their efforts in fighting and pursuing all forms of terrorism, and take tangible procedures in this regard.[759] Accordingly, the EU felt the need to improve the 1977 Convention and to build a new strategy appropriate for the post-9/11 threats. A new European pact was therefore approved after 2002, and a new European Framework on Combating Terrorism was drawn up. This identified a number of acts and terrorist crimes that all member states, cooperating fully with each other, needed to fight through domestic legislation.

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intimidate a population or unduly compel a government or an international organisation to perform or abstain from performing any act or seriously destabilise or destroy the fundamental political, constitutional, economic or social structures of a country or an international organisation."

[759] UNSC, 'Security Council Resolution 1373 , Mandatory Action to Fight Terrorism', (28 September 2001).

The significance of such an agreement lies in the details it provides to emphasize the types of terrorist behaviour that can affect people's dignity and status. Thus, according to the framework, all acts committed with one of the following aims are deemed to be terrorism;[760]

- Seriously intimidating a population.

- Unduly compelling a government or international organisation to perform or abstain from performing any act.

- Seriously destabilising or destroying the fundamental political, constitutional, economic or social structures of a country or an international organisation.

The following offences are also included among terrorist infractions, as enshrined in the strategy;

(a) Attacks upon a person's life which may cause death.

(b) Attacks upon the physical integrity of a person.

(c) Kidnapping or hostage taking.

(d) Causing extensive destruction to a government or public facility, a transport system, an infrastructure facility, including an information system, a fixed platform located on the continental shelf, a public place or private property, likely to endanger human life or result in major economic loss.

(e) Seizure of aircraft, ships or other means of public or goods transport.

(f) Seizure of manufacture, possession, acquisition, transport, supply or use of weapons, explosives or of nuclear, biological or chemical weapons, as well as research into, and development of, biological and chemical weapons.

(g) Release of dangerous substances, or causing fires, floods.

(h) Interfering with or disrupting the supply of water, power or any other fundamental natural resource the effect of which is to endanger human life.

(i) Threatening to commit any of the acts listed in (a) to (h).

This outstanding debate about what could and could not be tolerated, deviated somewhat from being normatively motivated when the Council of the EU excluded state actors from being susceptible to accusation under the same framework and set of considerations. By doing so, the EU mostly designed its rulings against armed groups that were likely to be convicted as terrorists in the event of committing one of the violations noted above. Therefore, if non-state actors were the perpetrators of such crimes the framework would

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[760] EU, 'Council Framework Decision of on Combating Terrorism', in The Council of the European Union (ed.), ((2002/475/JHA), 13 June 2002).

become applicable; whereas, if perpetrated by states, the latter would escape this stigmatization.

Clearly the preamble to the EU Framework states that "actions by the armed forces of a State in the exercise of their official duties (in armed conflicts) are not governed by this Framework Decision."[761] This implicitly suggests that armed groups, which neither represent a state nor are organized by a state, in a situation of occupation are among those considered under this definition, whereas the occupying state itself is not. In this regard, if the debate amongst the UN member states about these issues was taken into consideration, the design of the EU framework would specify the underlying reason for its exclusion of state actors. But even if the EU decision has been lawfully justified, the colonially-motivated political tendency behind it is apparent. Quite simply, the EU representatives do not wish to find themselves involved in sanctioning some of the EU's major states and/or allies like Israel or the US, for their violation of the provisions of the Framework. This understanding is based on the notion of the need to retain the sole right to use violence in the hands of states.

Michelle Pace attributes the European stance to the fact that there is "a Western, strongly-held perception that the Westphalian structure of nation states is the only framework for the 'legitimate' use of violence. The logic followed is that states may practice violence but when movements use it, such violence threatens traditional understandings."[762] When Phil Bennion, member of a delegation for relations with the PLC, was asked about the reason for not accusing Israel of being terrorist, he clearly mentioned that Israel is a state and therefore it is difficult to describe its acts as terrorism.[763] Accordingly, Israeli behaviours and policies, violating some or all the above mentioned offences, would never be subject to the definition of terrorism or to the same treatment against terrorists, whereas those who fight against injustice in Palestine are labelled as such.

Leaving Disease: Dealing with Symptoms
Terrorism is a concept that has accompanied the Palestinian factions over the years of the Arab-Israeli conflict. The Fatah movement and the Popular Front for the Liberation of Palestine (PFLP), in addition to other Palestinian groups, had been regarded as terrorist organizations that would be subject to boycott and ban by the West; and had been largely

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[761] Ibid.
[762] Pace, 'When Liminals Interact EU-Hamas Relations'. p.3
[763] Author's Interview, 'Phil Bennion', (Brussels, 28 June 2012).

dealt with on the basis of this perception. In fact, regardless of being involved in violent actions outside or within Palestine, all those who violently expressed resistanceagainst the IO were prosecuted and convicted as terrorists in the Western discourse.

In the West, however, equating violence against the IO with terrorism has been of the reasons behind the isolating of Palestinian factions. Hence, the resulting perception by the EU of Hamas as a terrorist organization is one of the manifestations of this kind of equation between violent resistance and terrorism. Therefore, the EU has made much of its attempts to stop the violent Palestinian resistance considering it terrorism, while it has allowed the causes of such violence to function without making any genuine efforts to deal with them appropriately.

It is commonly known that, as long as the causes of a disease are left to persist without being cured, eradicating the symptoms may have a temporary effect but the disease will probably re-emerge. Because the international community refrained from intervening to solve the Palestinian problem, the only alternative open to the Palestinians has been active resistance until they can achieve their legitimate goals.[764] Since 1948, the IO has suppressed another people without the necessary oversight by international society, which has pushed many Palestinian brigades to rely exclusively on their power rather than on the rest of the world. As Hamdan confirms, Hamas is one of the factions that has adopted various forms of resistance to bring the occupation to its knees.[765] Remarkably, international society, and the EU in particular, have engaged in attacking the symptoms but have left the disease alive; they have fought Palestinian violence while, in practice, enabling the IO to flourish. Thus, the EU has directed its financial and diplomatic resources towards putting an end to violent Palestinian resistance without dealing seriously with its causes.

Moreover, instead of focusing on eradicating the violence of the occupation itself, the EU is blamed for its part in aiding the occupation[766] by sponsoring the PA's administrative expenditures, which should have been the responsibility of the Israelis. Because of the failure of the Oslo Accords, the transition phase that should have led to the Palestinian State instead became an open-ended, EU-funded period of time. Therefore, as asserted by an unnamed member of the DG External Policies at the European Parliament, although the PA is there, it is an undisputed fact that the legal status of the Occupied Palestinian Territories (OPT)

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[764] Author's Interview, 'Gazi Hamad', (Gaza Strip, 18 February 2013).
[765] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).
[766] See Cronin, *Europe's Alliance with Israel Aiding the Occupation*.

remains under the IO and subject to its policies, as well as being rigorously controlled by it.[767]

Interestingly, according to IHL,[768] the Occupation, which should bear its responsibilities in this regard, does not pay anything for them; a matter that has transformed the IO into a five-star occupation in which the hegemonic power confiscates lands and punishes people whenever it wants, while another power pays for everything else on the ground. Thus, significantly, instead of helping Palestinians, the EU has "taken over the task of the occupying power in many aspects"[769] by enabling it to continue without considerable financial burdens and, at the same time, without being affected politically in terms of ending its status as a power of occupation. From the Hamas perspective, the EU's aid is a straight political bribe that is given to the PA to cover "the immoral unholy European-Israeli strategic alliance", and to allow passing the two-state solution in favour of the state of Israel.[770] Accordingly, the EU has not exerted much effort in order to benefit from being the funder on the Occupation's behalf, in affecting the conflict's political track, but alternatively it put its weight behind the PA to stop the Palestinians' violent resistance.

Portraying violence in certain forms and then applying this concept to the Palestinians without the Israelis is a pragmatic and rational rather than a moral EU policy. Significantly, the violence that is portrayed by the EU as terrorism is the violence of the weak party, not the strong; it is the violence that is accompanied by blood-shed and casualties on the Israeli side at the hands of the Palestinians, whereas the same violence against the Palestinians does not attract the same response from the EU. Hence, the legitimate question which continues to be valid; why does targeting Israeli civilians or settlers differ from targeting Palestinian civilians by besieging them, confiscating their lands, devastating their properties, and uprooting their trees and crops, in addition to the daily killings? Why is Palestinian resistance called terrorism while the devastating Israeli policies are not?

When a sample of EU officials was asked this question, most gave generalized answers that bypassed the reality; in other words, the position could not be interpreted as anything but a policy of double standards.[771] Instead of giving an obvious clarification of the terrorism

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[767] Author's Interview, 'Anonymous/Dg External Policies at EP', (Brussels, 14 May 2012).
[768] See; UN, 'The Fourth Geneva Convention; Convention (IV) Relative to the Protection of Civilian Persons in Time of War'.
[769] Author's Interview, 'Anonymous/ Middle East Unit in EP', (Brussels, 14 May 2012).
[770] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).
[771] Author's interviews with 16 EU officials from all main institutions between June and October 2012.

discourse based on the reality on the ground in Palestine, they resorted to talking about their broad condemnation of all acts of violence from both sides, but did not offer a balanced view of their reaction to the violence against the Israelis and the violence against the Palestinians.[772] Some of them privately confessed that the policy contained a double-standard; it was not built on the norms or values of the EUFP but on rational choice models based on profit and loss calculations, while others remained elusive without giving specific answers.[773] Hamas as well as other Palestinians and Arabs understand that the special Euro-Israeli ties do not allow the EU to toughen its discourse with the strong party in the conflict, i.e., Israel.

Consequently, the problem of Hamas's violence, per se, is not to be considered as terrorism, though its methods are controversial. In fact, it is one of the instantiations of the Israeli occupation that represents violence itself. However, the main problem lies in the occupation which encompasses all manifestations of violence that are embodied in the deliberate breaching of human rights settlements and of the Geneva Conventions, that organize the situations of people under occupation.[774] If the EU had played the role of the balanced mediator, it would have addressed the problem from its roots, not merely its instantiations. It should have dealt with the disease, not just its symptoms. According to Noam Chomsky, "any rational person would agree that violence is not legitimate unless the consequences of such action are to eliminate a still greater evil."[775] Hence, if comparison was to be done between the violence of Hamas resistance and the violence of the Israeli occupation, there would be no doubt that the former, in principle, has come in the context of eliminating ' a still greater evil' represented in the violence of Israel. While the EUFP, as noted in Chapter Three, is motivated by norms enshrined in the Lisbon Treaty focussing on human rights and freedom, this has implied being objective, balanced, and at the side of the oppressed party, rather than being the other way around, as Ilan Pappe emphasizes.[776] Thus, causes of the violence should be focused on and thereby eliminated by the EU before outlawing the reactions to the causes.

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[772] This was seen in; Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).

[773] Author's Interview with EU Parliamentarians who refused to be quoted due to the sensitive nature of the topic. June 2012 (Brussels)

[774] See, for example, Human Rights Council, 'Human Rights in Palestine and Other Occupied Arab Territories; Report of the United Nations Fact Finding Mission on the Gaza Conflict ', (Twelfth session, Agenda item 7, 15 September 2009).

[775] Noam Chomsky, 'The Legitimacy of Violence as a Political Act? Debates with Hannah Arendt, Susan Sontag, et al.', (Chomsky.info, December 15, 1967).

[776] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).

However, treating Hamas as a security aspect has failed, while the violence has persisted. The conflict between the Israeli state and the Palestinians is first and foremost a political conflict with social and security aspects. All these features should have been tackled together in order to put an end to the escalating conflict. Focusing on the Hamas violence and linking it to terrorism will not help to end the circle of violence in the region. If this had happened in the case of Northern Ireland, no peace would have achieved. According to Chris Patten, the then EU Commissioner for External Relations, commenting on the situation even before Hamas had been put on the EU's list of terrorists:

> If, when we were fighting Irish terrorism in Northern Ireland, we had totally concentrated on the security measures, and had denied that there was any political or social context, all our friends, in America and elsewhere, would have thought we were crazy. Of course there was a security dimension but there was another, political, dimension as well. And until it is recognised that there are legitimate Palestinian political ambitions, then I'm afraid the violence will continue.[777]

This opinion is shared by the MEP Annemie Neyts-Uyttebroeck, who asserted that without talking to Hamas and differentiating between the Hamas military wing and its political wing, it would be hard to make any progress in the peace process; However, in Northern Ireland the EU adopted a feasible approach when it maintained communications with the IRA during the many years of conflict.[778] This understanding has not been widely disseminated within the EU's institutions but has undoubtedly remained as private convictions among individual EU officials; as a result, the security aspect has remained the only route followed to supress the violence of Hamas. The apparent 'double-standards treatment' of conflicts in both the Irish and Palestinian cases indicates the specificity of Israel in such a conflict, as perceived by the EU. While "a diplomatic process that draws Hamas into state-building and peace efforts on the basis of reciprocal region-wide commitment to non-violence" is required,[779] the EU's double-standards policy has left no room for the containment of Hamas and the Palestinians' anger in the future.

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[777] EU, 'Comments on the Situation in the Middle East by the Rt Hon Chris Patten ', in European Commission (ed.), (Interview with BBC 'Hard talk'; Brussels 19th April 2002).
[778] Author's Interview, 'Annemie Neyts-Uyttebroeck', (Brussels, 1 October 2012).
[779] Bulut et al., 'A Strategy for EU Foreign Policy '.

Softness with Israel Harshness with Hamas[780]

It appears that when the EU has tried to act against violence, it has been somewhat inconsistent; instead of dealing with the principle regardless of the perpetrators it has tended to deal differently with those who commit violence according to their identities. From the EU's perspective, if the violence has come from the Palestinian side it cannot be understood outside the context of terrorism, whereas if it comes from the Israeli side no such contextual description is likely to be given. Whereas the EU has dedicated its financial and logistical capabilities to assist the PA in its fight against the armed Palestinian resistance, practically it has not done anything of significance to terminate the long-lived Israeli violence against Palestinians. This has been repeatedly obvious in the EU discourse, for example, being mentioned in the EU presidency conclusions after the collapse of the truce that was declared by the Palestinians in June 2003, and that was not respected by the Israelis:

> The European Union unequivocally condemns terrorism and will contribute to efforts aimed at cutting off support, including arms and financing, to terrorist groups. It is also ready to help the Palestinian Authority in its efforts to stop terrorism, including its capacity to prevent terrorist financing. The Union demands that Hamas and other groups immediately declare a ceasefire and halt all terrorist activity, and recalls that the Council is urgently examining the case for wider action against Hamas fund raising. It is essential that all concerned, in particular the countries of the region, condemn terrorism and assist in efforts to eradicate it.[781]

It is obvious that the language used, the anger expressed and the rigour highlighted, in addition to threatened implementation, are unambiguous and highly telling. It is also striking that when the matter concerns condemnation of Hamas and Palestinian violence against the occupation, the prejudicial expressions, e.g., terrorism, cutting off support to terrorist groups, the readiness to help the PA to prevent terrorist financing, terrorist activity, calling for wider action against Hamas, and calling on regional countries to assist in eradicating terrorism, are all contained in a single paragraph.

On another occasion the Quartet described the Palestinian attacks as "brutal", condemning Hamas and other factions for their defiant behaviour; "the Quartet members deplore and condemn the brutal terror attacks against Israeli citizens carried out by Hamas, Palestinian Islamic Jihad, and the Al-Aqsa Martyrs Brigade since presentation of the Roadmap."[782]

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[780] 'Harshness' and 'softness', in this regard, are socio-politically constructed and motivated concepts and behaviours, that are driven by the actor's perceptions towards the 'other'.

[781] EU, 'Thessaloniki European Council; Presidency Conclusions', in European Commission (ed.), (SN 200/03; Brussels, 19 - 20 June 2003).

[782] MEQ, 'Statement by the Quartet'.

Indeed, the EU spared no words in condemning the resistant doings of Hamas and invested hugely in the PA's security sector, thereby enabling it to act as demanded by the International Roadmap. Significantly, "since 2005, the EU has been involved in supporting the development of a democratic and professional Palestinian police force", that will be capable of acting against armed Palestinian groups like Hamas.[783] Hence, the EU had no problem with sanctioning the organization or punishing it for its resistance by cutting off its financial life blood, leaving no doubt that the movement would not be tolerated by the EU and that further punitive actions could be imposed on it.

On the other hand when the same statement called on Israel to assume its responsibilities, the language used and the actions to be pursued later on were vastly different from the previous sentiments directed against Hamas.

> The European Council calls on Israel to take action to restore trust and abstain from any punitive measures including extra-judicial killings, and to act in accordance with international law. It also calls on Israel to reverse the settlement policy and activity and end land confiscations and the construction of the so-called security fence, all of which threaten to render the two-state solution physically impossible to implement.[784]

In this case, the European discourse is devoid of offensive language. It clearly adopts the tone of one friend advising another to act in accordance with international law, without any hint of sanctions if this has not been addressed. Surprisingly, the EU kept calling on Israel to restore trust, abstain from punitive measures, reverse the settlement policy, and end land confiscation and construction of the wall in the West Bank without expressing its enthusiasm or anger as it did in the Palestinian case. Undoubtedly, all the issues mentioned, including the extra-judicial killings perpetrated by Israel, are in fact devastating aspects of Israeli policies and actual behaviour, and are being systematically followed by Israel against the Palestinians. Surprisingly, all these things, which MEP Ivo Vajgl describes as acts of discrimination and apartheid,[785] are undoubtedly regarded as violations of International Humanitarian Law (IHL) and are clearly censured by the International Court of Justice (ICJ), but they are not being stopped by the EU, nor do they even prompt a genuine EU reaction.[786]

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[783] EU, 'The EU in the Middle East Peace Process'.
[784] EU, 'Thessaloniki European Council; Presidency Conclusions'.
[785] Author's Interview, 'Ivo Vajgl', (Brussels, 28 June 2012).
[786] Refer to International Court of Justice, 'Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory', (General List No. 131, 9 July 2004).

Inexplicably, neither the EU nor the US has dealt with all these infractions appropriately, i.e., as violence that deserves to be denounced as terrorism or, at the very least, sanctioned. In addition, and as mentioned above, while the Quartet including the EU accused Palestinian military factions of having committed brutal acts since the Roadmap presentation in 2002, they did not see this brutality when it came from the Israeli side. For example, in the Gaza Strip on 22 July 2002, Israel deliberately targeted, *inter alia*, an entire building and all its inhabitants, together with the building next door, with the intention of killing Salah Shehadeh, a leading figure in Hamas. Although this Israeli attack, which killed 17 innocent people and injured about 140, was condemned by various human rights societies,[787] in general there was no incentive for either the Quartet or more particularly the EU, to describe the Israeli act as brutal or even to condemn it in the way that had been done with Hamas and similar factions when they attacked Israelis. Thus, the inconsistency in the EU's rhetoric was an obvious indication of its realistic attitudes towards the parties in the conflict that was based on biased perceptions rather than being morally driven.

The international reform plan for the PA that was presented in the Roadmap outlined the procedures which were to be followed in order to suppress the armed Intifada; in this way, both logistically and financially, the US and the EU supplied the necessary experience and the physical requirements to assist the PA, whilst the latter, through its security sector, got the job done on the ground. At the same time, paradoxically, while the EU involved itself in the fight against Hamas and the armed resistance in Palestine and in Europe alike, it did none of this with Israel which, over time, had sponsored the violence of the occupation and facilitated the Jewish settlers' aggression towards Palestinian civilians and lands in the West Bank and Gaza Strip. However, for the purposes of the peace process as claimed, the EU clearly believed that the idea of sanctioning Israel was never to be on the table because of the negative effects on EU-Israel relations which are not subject to such a way of behaviour.[788] Hence, the harshness expressed against Hamas in the EU discourse against the softness towards the IO that was largely responsible for the violence in Palestine, represent in reality socio-politically motivated types of discourse that reflect the imbalanced EU's perception of the two parties in question.

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[787] See; Human Rights Council, 'Human Rights in Palestine and Other Occupied Arab Territories; Report of the United Nations Fact Finding Mission on the Gaza Conflict '. p. 514

[788] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).

Dismantling the Hamas Network: Patting the Israeli Shoulder: Exposing Policy

Scrutinising the language used and reactions from the EU in response to Hamas and Israel's actions is indispensable in characterising the inbalances in EU policy and discourse related to the Arab-Israeli conflict. With the eruption of the Al-Aqsa Intifada in 2000, the Hamas movement became increasingly powerful, both politically and militarily. As a result of the Palestinian atmosphere which was full of tension because of the occupation that year, as well as the PA's disappointment over the failure of the Oslo Accords, Hamas benefited significantly from all aspects of the new situation. After more than four years of suppression by both the PA and Israel, Hamas seized the opportunity to rebuild its organization at all levels and proved to have considerable capability to act robustly against the occupation alongside other Palestinian factions; a matter that duly raised its popularity among the Palestinians and in the whole Arab and Islamic world.

Apart from the military and financial support it received from Iran and Syria, Hamas also gained sympathy from many international charitable organizations which increased its resources as the new situation required. In fact, this development at the start of Al-Aqsa Intifada enabled Hamas to become a powerful regional organization whose word became of high importance in the Palestinian question. Over the years of the Intifada it distinguished itself through its military activities as well as its charitable accomplishments, but its militants also gained significant points in the battle with the Israelis.

Al-Aqsa Intifada surprised the international players in the Arab-Israeli conflict, particularly the EU and the US. It is true that in this regard, Hamas was not the only Palestinian player but in 1987 it had been the most significant Islamic figure, having fuelled the first Intifada through the quality of its military operations against the Israelis inside Israel as well as in the OPT. These operations led to historical shifts, mainly the reoccupation of the PA land in 2002, in addition to the Israeli withdrawal from the Gaza Strip in 2005, and the subsequent wars in 2008/9 and 2012. With each of the Hamas operations in the first and second Intifada, the EU would call on the PA to dismantle the Hamas military network and put an end to its "terrorist activities".[789] Basically, the EU was keen to disarm Hamas, arrest its members and prosecute all those it called "suspicious" terrorists,[790] even though it knew that such methods of suppression were unlikely to affect a movement so rooted in its society. This was obvious

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[789] EU, 'ENP Progress Report Palestinian Authority ', in Commission of the European Communities (ed.), (COM(2006) 726 final; Brussels, 4 December 2006). p. 4

[790] EU, 'Declaration by the Presidency on Behalf of the European Union on the Situation in the Middle East '.

in many EU documents and was stated on many occasions; for example, in 2001,

> The European Union would remind the parties of the pledges demanded of them: the Palestinian Authority: the dismantling of Hamas' and Islamic Jihad's terrorist networks, including the arrest and prosecution of all suspects; a public appeal in Arabic for an end to the armed intifada.[791]

Fundamentally, the armed Intifada, without any lawful logic, lacked acceptance by the EU, whereas the armed occupation and its devastating machines, accustomed to punishing the Palestinians and confiscating their lands, remained out of the question. Undoubtedly, had the equation of disarming Hamas and other armed Palestinian factions succeeded, it would have played in favour of the Occupation but not of its victims; however, the latter were refused by the EU even to exercise their primitive methods of resistance under the pretext that this might destroy the peace process. Therefore, disarming Palestinians and dismantling their resistance networks as an EU requirement, could be interpreted as a free service to the Israeli occupation, especially as the EU's demands were not accompanied by any EU pressure that would affect the Israeli position. Whereas the EU's subjective and prejudicial language was clear when the matter concerned the Palestinians, the EU's implicit attitudes towards the conflict were exposed through its objective and neutral language with the Israelis. Notably, the rest of the EU statement quoted above was obvious in revealing how the Israeli position had been perceived by the EU and the extent to which the EU commented on it,

> The European Union would remind the parties of the pledges demanded of them: the Israeli Government: withdrawal of its military forces and a stop to extrajudicial executions; the lifting of closures and of all the restrictions imposed on the Palestinian people; a freeze on settlements and an end to operations directed against Palestinian infrastructures.[792]

Clearly the EU language in the first quote was full of judgments and subjective words, while in the second quote the language was devoid of any such things.

However, in light of the unequal and disproportionate deeds of both Hamas and Israel, the EU should have reacted in the opposite direction. In the first case, the Hamas movement might have targeted Israeli civilians as was debated, but the Israelis actually did so, with violent consequences that were proportionately and tremendously greater than anything Hamas could have done. In fact, this Israeli disproportionality has been highlighted by the EU itself on

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[791] EU, 'Presidency Conclusions; European Council Meeting in Laeken ', in Council of the European Union (ed.), (SN 300/01; Brussels, 14-15 December 2001), p. 14
[792] Ibid.

various occasions but without any verbal or practical escalation against the occupation.[793] If the consequences and impacts of attacks of both parties are examined, there is no doubt that the figures would be very telling. According to the following statistics from B'tselem, the highly reputable Israeli human rights NGO, the figures for fatalities during the conflict between Israelis and Palestinians in the Al-Aqsa Intifada, launched on 29 September 2000, to the end of Operation Cast Lead, launched against the Gaza Strip by Israel between 27 December 2008 and 18 January 2009 are very telling, if the comparison is made (see Figures 9and 10).

Strikingly, over the eight years between 2000 and 2008 the Israelis killed far more individuals than the numbers killed by the Palestinian factions collectively. While the Israelis killed 4905 Palestinians, just over 20 percent of this figure represents Israelis killed by Palestinians. And whereas the number of Israeli minors killed accounted for just under 12 per cent, the number of Palestinian minors was nine times higher than their counterparts on the Israeli side and constituted around 20 per cent of the total of Palestinian fatalities (Figure 9).

Similarly, in the Cast Lead operation against the Gaza Strip, the gap was more obvious than ever. While 1396 Palestinians were killed during just 21 days (three weeks), only nine Israelis were killed, of whom six were militant soldiers. Despite the fact that of the Palestinians killed, 345 were minors, no Israeli children were killed at all. According to the same statistics, whilst 350 of those killed by Israelis came from the militant Palestinian factions in the war, most of those who died were civilians who, as stipulated in the IHL, should have been protected. These important figures simply demonstrate the substantial gap between the fatalities caused by the violence that was exercised by both parties involved in the conflict. However, other impacts are illustrated elsewhere in this study. Thus, the Palestinians and thereby Hamas were not those who were more violent in this conflict; on the contrary, the Israelis themselves were undoubtedly responsible for the loss of the vast majority of lives (Figure 10).

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[793] See; EU, 'Question for Written Answer to the Commission Rule 117 by Daniël Van Der Stoep (Ni) ', in European Parliament (ed.), (Parliamentary questions, E-000143/2011; Brussels, 24 January 2011).

Figure 2: Fatalities from the Second Intifada Outbreak to Operation' Cast Lead'[794]

Data by date of event, 29.9.2000-26.12.2008	Occupied Territories			Israel
	Gaza Strip	West Bank	Total	
Palestinians killed by Israeli security forces	2999	1790	4789	69
Palestinians killed by Israeli civilians	4	41	45	2
Israeli civilians killed by Palestinians	39	200	239	492
Israeli security force personnel killed by Palestinians	97	146	243	89
Palestinian minors killed by Israeli security forces	635	316	951	3
Israeli minors killed by Palestinians	4	35	39	84
Palestinians killed during the course of a targeted killing	277	107	384	0
Palestinians who were the object of a targeted killing	150	82	232	0

Figure 3: Fatalities during Operation 'Cast Lead'[795]

Data by date of event, 27.12.2008-18.1.2009	Occupied Territories			Israel
	Gaza Strip	West Bank	Total	
Palestinians killed by Israeli security forces	1390	6	1396	0
Israeli civilians killed by Palestinians	0	0	0	3
Israeli security force personnel killed by Palestinians	5	0	5	1
Palestinian minors killed by Israeli security forces	344	1	345	0
Palestinians killed during the course of a targeted killing	20	0	20	0
Palestinians who were the object of a targeted killing	2	0	2	0
Palestinians who did not take part in the hostilities and were killed by Israeli security forces (excluding the objects of targeted killings).	759	5	764	0
Palestinians who took part in the hostilities and were killed by Israeli security forces	349	1	350	0

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[794] B'TSELEM, 'Fatalities since the Outbreak of the Second Intifada and until Operation "Cast Lead"', <http://old.btselem.org/statistics/english/Casualties.asp?sD=29&sM=09&sY=2000&eD=26&eM=12&eY=2008&filterby=event&oferet_stat=before>, accessed 1-01-2013

[795] B'TSELEM, 'Fatalities During Operation "Cast Lead"', <http://old.btselem.org/statistics/english/Casualties.asp?sD=27&sM=12&sY=2008&eD=18&eM=01&eY=2009&filterby=event&oferet_stat=during>, accessed 1-01-2013

Palestinian police officers who were killed inside police stations	248	0	248	0

Significantly, the EU's call for disarming the Hamas movement because of its attacks against Israel was not paralleled by any such robust calls, even for disarming the Israeli settlers who undertake so many attacks against Palestinian citizens and properties in the Palestinian Territories.[796] Nor did the EU call for sanctioning Israel because of the role it had played in targeting Palestinian civilians. This is entirely compatible with the justification given by Chris Patten, Commissioner for External Relation of the EU, who regarded the peace process as the main element on which such judgments should be based. In his opinion, extremists needed be apprehended as far as was possible, but those who persisted in opposing the peace process must be the EU's target in the war against terror, regardless of Israel's policies in this context. According to the same source, this was the exact reason for "calling for the dismantling of the terrorist networks of Hamas and Jihad".[797] In commenting on these EU positions, Ahmed Yousef accused the EU of being blind when the matter is related to Palestinian victims while it maintains an open-eyed policy when the same matter concerned the Israelis. In his view, the EU discourse should not be biased as long as it was driven by neutral incentives and normative motivations; otherwise, nothing of its discourse could be trusted.[798]

Therefore, the question as to why the EU expressed its anger in such a manner when the Palestinians stood behind the violence, but did not do so when the Israelis committed even more violent actions against Palestinians is constantly asked by Palestinians and among observers. Significantly, stripping Hamas of its military power while simultaneously leaving Israel as the dominant and powerful occupying state, without questions or sanctioning, can only be understood if the nature of the EU alliance with Israel is recognized. In this regard, the PA is regularly asked by the EU to make every effort to stop acts of terror, emphasizing that "the legitimate use of force is the responsibility of a single institutional authority"; a principle that must be speedily implemented as the EU demands.[799] However, by enabling the PA, with its weakened status, to control the military power that is available in the hands of its people, the Palestinians will lose a very valuable asset in the business of deterring Israel's policies on the ground. While international society is incapable of preventing the occupation

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[796] Many reports in this regard were issued by the UN and International and regional human rights NGOs.
[797] Patten, 'Speech by Commissioner for External Relations About the Situation in the Middle East'. 2001
[798] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).
[799] EU, 'Report on Peace and Dignity in the Middle East '.

or putting an end to its manifestations, the Palestinians will become totally exposed and vulnerable to every Israeli attack. Thus, the EU's insistence on dismantling the armed Palestinian groups and limiting the use of force in the hands of the PA, has played a significant role in turning the Authority into a kind of police state against its people, in the service of the Israeli occupation.

Hamas Rejection of Suffering the Consequences: Sustained Resistance

The Palestinian-Israeli negotiations were officially launched in 1993, while the Palestinian right to self-determination and the refugees' right of return to their homeland have been guaranteed and reaffirmed by the UNGARs since 1947.[800] Since then, international society has been unable to compel, or even to persuade, Israel to accept these resolutions and allow Palestinians to exercise their natural political rights in their homeland. Despite the fact that millions of Palestinian refugees are in exile in a fragmented diaspora, international society has failed to bring an end to their sufferings over time, and remained idle and ineffectual. However, it has attempted through UNRWA and sometimes through other NGOs to provide humanitarian and material assistance to the refugees living in camps without paying serious attention to their political needs and aspirations. After 1972, the EU was among the entities that responded in such a way to the conflict and to Palestinian suffering when it started its Palestinian relief programmes through the UNRWA.[801] Undoubtedly, ignorance of the political needs of the Palestinians and the Israeli actions against them drove the Palestinian factions – some represented in the PLO and others not, and with leaders from various ideological backgrounds – to exercise their right of resistance against the Israeli occupation. Thus, there has been an obvious attempt by the Palestinians to recover their occupied homeland without waiting for the United Nations' resolutions to be implemented at some future date.

Crucially, a breakthrough occurred in the Palestinian-Israeli conflict in 1993 when the Oslo Agreement between the PLO and Israel was signed but without the Palestinians, both within or outside Palestine, being consulted or called to a referendum. The Knesset (Israel's democratically-elected representative body) was consulted and voted in favour of the agreement, as did the Palestinian Central Council in 1993 and the National Council in 1996,

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[800] See UNGAR 194 issued in Dec. 1948 and the Partition Resolution 181 in Nov. 1947.
[801] Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*.

although neither were democratically elected and therefore had no popular authority.[802] This meant that a number of Palestinian factions, mainly Hamas and Islamic Jihad, which were not represented among the PLO institutions, were left out of the agreement. This has enabled them to act independently, regardless of what the PLO had signed. Thus, they dealt with Oslo as an illegitimate agreement, in terms of it having been signed by an undemocratically-elected Palestinian body, alongside what were regarded as serious concessions in the Accord presented by the PLO leadership to Israel since they touched the very core of Palestinian rights.[803]

Given that this treaty has become much like a constitution, in light of which the entire struggle for freedom by the Palestinians should be balanced, as the agreement itself anticipated, Hamas and Islamic Jihad have been clear from the beginning about their position; they have not recognised this agreement either as a policy or as a reference for Palestinians.[804] A Hamas statement on the eighteenth anniversary of the Oslo agreement reiterated its constant strategic positions, describing this Accord as disastrous and a serious deviation in the political track of the Palestinian cause.[805] These factions have instead continued their methods of struggle against the Israeli Occupation by exercising their right of resistance, consistent with international law which guarantees this right for those who fall under occupation or military aggression as commonly recognized.[806]

Hence, Hamas's insistence on the exercise of violent struggle against the obligations of the Oslo Agreement has therefore put it face to face with those, including the EU, who are interested in the MEPP. Significantly, Hamas's opposition to this process has gradually developed to challenge the very core of the Accord and its stipulations; a matter that has jeopardized the efforts invested by the EU and the US since the Madrid Conference in 1991. Contrary to the PLO's commitment and due to the fact that its establishment had been before these agreements, the Hamas movement has introduced itself as a legal combatant organization for freedom, and significantly its identity is linked to this reality rather than being for or against the Oslo Agreements. Thus, Hamas could, in theory, claim that it does not bear the consequences of agreements in which it did not participate, and neither the EU

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[802] Jamil Hammami, 'The Legitimacy of the Representation of the PLO for Palestinians', (Aljazeeranet, 18-02-2012).
[803] The PLO has recognized Israel on 78 percept of Palestine and postponed the refugee question to the final negotiations stage.
[804] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).
[805] Hamas, 'Statement in the Eighteenth Anniversary of the Signature of Oslo Agreement', (13-9-2008).
[806] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

nor any other international entity has the right of dictation of the way that should be followed to liberate the Palestinian homeland since no actions have been taken by international society to terminate the on-going Palestinian plight since 1948, according to Hamad.[807]

Section Two: Internationally Recognised Resistance or Not?

Having scrutinized the EU discourse directed at Hamas and Israel and the imbalanced nature of the rhetoric and policy used in this regard, in this section I analyse Hamas's resistance logic and the continuously biased nature of the EU response in light of international law.

Violence against Civilians

The debate concerning the perceptions of the EU and Hamas towards targeting civilians during the Al-Aqsa Intifada has not been sufficiently highlighted. These diverging opinions are built on contradictory interpretations of the conflict in the ME. According to the EU, Hamas's targeting of Israeli civilians was unjustifiable; therefore Hamas deserved to be stigmatized as a terrorist organization. At the same time, the targeting of Palestinian civilians by the Israelis was symbolically condemned and seen 'not acceptable', but same thing was not enough to stigmatize the latter as a terrorist state or a war criminal, as could be deduced implicitly and explicitly from the EU discourse. Although, most of the EU officials interviewed by the researcher managed to avoid shedding light on this paradox, it was not too difficult to conclude that their answers were clearly linked to the significance of Israel in the European mentality.[808] According to Takis Hadjigeorgiou, a member of the Committee on Foreign Affairs in the EP, this is clear evidence of the double standards policy pursued by the EU in the Arab-Israeli context.[809]

In the case of occupation of others' lands or states, civilians must be neutralized and protected against any kinds of hostilities or attacks[810] between the occupier state and the armed groups in the occupied territories, according to the Fourth Geneva Convention.

There were two main classes of civilian to whom protection against arbitrary

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[807] Author's Interview, 'Gazi Hamad', (Gaza Strip, 18 February 2013).

[808] Author's interviews with 19 of the EU staff between June and October 2012. (Brussels)

[809] Author's Interview, 'Takis Hadjigeorgiou', *MEP, Member of Committee on Foreign Affairs* (Brussels, 11 July 2012).

[810] The concept of 'Attacks' refers to "acts of violence against the adversary, whether in offence or in defence". See OHCHR, 'Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol 1) (2nd Part)'. Art 49

> action on the part of the enemy was essential in time of war; on the one hand, persons of enemy nationality living in the territory of a belligerent State, and on the other, the inhabitants of occupied territories.[811]

The convention is also keen on distinguishing between those civilians who could join or become militants and those taking no part in any acts of war. The second group is the one which must be protected, neutralized and sheltered from any aggressive attacks, while the former group is not included; therefore, civilian persons to be protected are meant to be those who take no part in hostilities, and who, while they reside in the zones, "perform no work of a military character".[812] According to this definition, all Palestinian civilians must be secured from being attacked or targeted except those who participate in military acts against the Israeli occupation.

In the same vein, Israeli civilians who participate with their army in aggressive acts against Palestinians are not included or safeguarded according to the convention. Significantly, Jewish settlers who reside illegally in the internationally-recognized Occupied Palestinian Territories, in practice act as part of the aggressive Israeli machine against Palestinian lands and properties rather than the population itself. Hence, the Hamas movement and Palestinians in general do not regard those settlers as protected civilians as identified by the Geneva Conventions, even if they are called civilians and do not wear military uniforms. Therefore, as Usama Hamdan confirmed, based on this perception they are legitimate targets for the Palestinian resistance, and Palestinian factions are accustomed to considering them in the same way.[813]

In addition, Jewish citizens in Israel who serve in their army from the age of 18 (and, as reserve forces, participate annually in targeting Palestinians and contributing to aggressive acts against them), are also excluded, according to Hamas's interpretation of the Geneva Conventions. This is to say that Jewish civilians in Israel do not meet the definition of 'civilians', but are on the contrary part of the occupation that has caused the Palestinian tragedy since 1948, and continue in various ways to participate in this on-going dilemma. Someone who serves in the Israeli army in the morning and goes home and takes off his military uniform in the evening cannot be considered a protected civilian.[814] Thus, whenever Hamas, like other Palestinian armed factions, targets Israeli civilians either in the Jewish

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[811] UN, 'The Fourth Geneva Convention; Convention (IV) Relative to the Protection of Civilian Persons in Time of War'. Art. 4
[812] Ibid. Art. 15
[813] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).
[814] Ibid.

settlements in the OPT or inside Israel, it does not feel guilty about breaching international law, but considers that it is fighting military forces, whether or not they wear military uniforms. In this way, it reminds the EU and others in the world that targeting those who are part of the hostilities, such as settlers or those who act in a military rather than a civilian manner (e.g., the so-called reserve forces within Israeli society), represents an aspect of the Palestinian right of resistance which is internationally guaranteed.

Had this Hamas perception been accepted, the EU would have not put the movement on its list of terrorists. Therefore, while Hamas justifies its actions in the way described above, the EU is clear about not distinguishing between Israeli civilians, refuses any kind of targeting them, and considers those who have already been targeted as innocent victims.[815] And while the EU has frequently expressed, in numerous occasions, its rejection of targeting civilians on both sides,[816] its anger, reactions, and sympathies have not been voiced equally. Observers can feel the warm sympathies and the furious reactions of the EU when the victims are Israelis, whereas this cannot be felt in the case of Palestinians. In the former case, the perpetrators "of all these atrocities must be brought to justice";[817] they are also considered the real enemies of peace who must be fought by the international society, including the PA and Israel.[818] But in the opposite case, as for example, when the Israelis were the perpetrators of war crimes against civilians in the Gaza Strip during the 'Cast Lead' war in 2008-9, they were not labelled 'enemies of peace', nor was there any call to bring them to justice, since they were still seen as people interested in a peaceful resolution. In this way the Hamas approach towards Israeli civilians is completely rejected by the EU.

Hamas's Philosophy of Resistance and the EU Response
In Islam, avoiding harm to civilians during conflicts with enemies is a religiously-motivated principle that has been theoretically adopted by Hamas.[819] Contrary to Ervin Staub's conviction that Hamas has ideological agenda against the 'Jews',[820] the movement has never directed its military operations against the Jewish people outside Palestine, and has never asked its affiliates in the rest of the world to do so. In reality, it has constantly sought to

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[815] EU, 'Declaration by the Presidency on Behalf of the European Union on the Situation in the Middle East '.
[816] For example; Solyom, 'Speech by President of the Republic of Hungary Laszlo Solyom to the Plenary Session of the Knesset '.
[817] EU, 'Statement by the Presidency on Behalf of the European Union on Recent Terrorist Violence in Israel', in Presidency (ed.), (Press Releases, PESC/94/89, 20/10/1994).
[818] EU, 'Declaration by the Presidency on Behalf of the European Union on the Situation in the Middle East '.
[819] See, for example, the Holy Quran, Chapter 2:190
[820] Ervin Staub, *Overcoming Evil: Genocide, Violent Conflict, and Terrorism* (Oxford University Press, 2011). p.157

ensure that Hamas respects all religions and all their followers, whoever and wherever they might be, thus confirming that its problem is only with the Zionists in Palestine.[821] Considerably, Hamas has systematically rejected the targeting of civilians around the world, and has condemned all such attacks, regardless of the identities of perpetrators and victims alike,[822] in such instances as the targeting of Washington DC, New York, Madrid, London and Norway, as well as the Arab Gulf States.[823] There is no justification for killing innocent people even if their country is involved in aggressive acts against others as Hamas believes.[824]

Civilians are protected in Islam and in IHL, but Palestine is a different story. In explaining Hamas's viewpoint, Hamdan notes that it is a story of occupation, where settlers and citizens have been involved in hostilities against the occupied people for a long time,

> We do not target civilians; we only target Israeli settlers and soldiers in our martyrdom operations. If we had wanted to target civilians we could have killed many more than those who have already been killed. We could have targeted schools, universities, kindergartens, sports stadiums and hospitals. All these targets would have been very easy for our members if we had wanted to attack them, but we did not because we know that many innocent people would have been killed in these places. We usually targeted places or buses in the morning or evening and in the weekends while our targets were among soldiers or reserve forces and settlers who tended to move between their stations and military bases or workplaces. If innocent people were killed in these operations it did not happen intentionally. However, as occupied people, we consider our land, Palestine, a 'clash line' and those who consider themselves civilians in the Israeli society should have kept away from this line as we always suggest. We are not terrorists in the way the EU has mistakenly put us on its list of terrorists; we have always said we are as much the victims of Israeli terrorism as those innocent victims of 11 September 2001 and London or Madrid. The only thing we have done is to defend our people.[825]

Ahmad Yusuf, adviser to the Prime Minister in the Hamas-led government in Gaza, added that "Hamas rockets on Israel were basically not focused on Israeli civilians, but were directed against military bases inside Israel", and was one of the internationally-supported rights of the Palestinians in this armed conflict.[826] Hamas lacks the precision available to the Israeli army by mostly having homemade weapons, which may cause 'collateral damage', although as Yousef points out, the resulting victims on the Israeli side do not compare with

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[821] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).
[822] Mohammad Hawwash, 'Meshal Accepts Quartet Conditions - Sources', *Palestine Times,* November 30 2006.1
[823] Hamas, for example, was amongst other Islamic movements which signed on the following document, see; Statement, 'Muslim Scholars and Intellectuals Condemn the Attack on New York and Washington', *Al-Quds Al-Arabi* 14 September 2001.
[824] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).
[825] Ibid.
[826] Samanews, 'Ahmed Yousef: Deletion of the "Hamas" from the List of Terrorism "Matter of Time', <http://www.samanews.com/index.php?act=Show&id=153229>, accessed 11 March 2013.

the huge numbers of Palestinians killed.[827] Hence, Hamas has its own philosophy of resistance which, as its leaders and supporters claim, is seen to be consistent with IHL.

Based on this particular philosophy, Hamas as a resistance movement has justified the use of its methods in fighting its Israeli enemy. In fact, its popularity in the Arab and Islamic world, rather than in Palestine itself, has been gained in light of its robustness against the occupation, including its energetic military operations inside Israel.[828] The sympathy it has gathered as a result has stemmed from its forceful targeting of the Israelis, regardless of whether they are called civilians or militants, since as far as Hamas is concerned there is no difference; both are involved in hostilities against the Palestinians. In one of the rounds of indirect negotiation with the Israelis via the Egyptians, Hamdan suggested an agreement built on the definition of civilians according to the Geneva Conventions, to be accepted by both Hamas and Israel, but the latter refused this. In Hamdan's view, Israel rejected his proposition, knowing that the Geneva definition did not provide full protection to the Jewish settlers in the West Bank and Gaza, or to the Israeli reserve forces, in the way it did for Palestinian civilians.[829] According to Ahmed Yousef, before Hamdan's initiative, Ahmad Yassin had explicitly proposed that both sides should stop targeting civilians, but Israel had refused and its machine kept killing civilians and targeting "the stones and trees of Palestine".[830] Thus, when directing its resistance machine against the Israelis, Hamas remains consistent and beyond the context of terrorism has had its own narrative, to which the EU should have listened.

However, such logic is not accepted by Israel and its alliances as represented in the EU and the US, and as a result they do not accept the Hamas interpretation of the international conventions. Although statistically many more Palestinian civilians are killed at the hands of the Israelis than Israelis are killed at the hands of Hamas,[831] and regardless of the nature of the eventual targets, whether military personnel or civilians, Hamas's violent resistance has been regarded as terrorism, while Israel has not been dealt with in such a way.[832] Significantly, without having scrutinized the Hamas perspective or examined the deeds of each party, the EU announced Hamas as a terrorist movement that had to abide by the Oslo

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[827] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).
[828] See; Mia M. Bloom, 'Palestinian Suicide Bombing: Public Support, Market Share, and Outbidding', *Political Science Quarterly,* 119/1 (2004), 61-88.
[829] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).
[830] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).
[831] B'TSELEM, 'Fatalities since the Outbreak of the Second Intifada and until Operation "Cast Lead"',
[832] EU, 'Report on Peace and Dignity in the Middle East '. Art.20

agreements and their commitments, leaving no room for any forceful methods of resistance or compromises over this issue. According to Marc Otte, Hamas "has no way but to stop all acts of terrorism in theory and practice." The EU is interested in the peace process, and thereby all kinds of violence would devastate the efforts in which it has invested towards solving the conflict. After the Palestinians, represented by the PLO, have adopted peace as the only way to achieve their rights, no Palestinian body would have the right to return to violence.[833]

Paradoxically, from the EU perspective the Palestinians must accordingly remain captive to the peace process, regardless of what the other party might do, and this will remain valid even if, after twenty years of negotiation, the five million Palestinian refugees continue to be prevented from exercising their right of return to their homes inside Palestine as proposed by UNGAR 194. Despite land in the OPT being confiscated and planted with more than half a million Jewish settlers,[834] (contrary to international law which stipulates that "the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies"[835]), the EU expects all Palestinians to keep their resistance in check and stick to negotiating with the Israelis.[836]

In the same way and in light of the unceasing violations of the Palestinians' human rights while negotiations have been continuing, they have no other alternative but to negotiate and negotiate, without any outstanding political support from the EU apart from money, words, and statements. This logic appears strange in terms of answering Palestinian questions; how long must they wait until given their rights, and under which circumstances might international society, including the EU, put an end to the Israeli policies on the ground or impose sanctions against it? Thus, the presumed captivity of the Palestinians to the peace process forever is baseless, and the EU's assumptions are not sustained by sufficient actions to make it credible amongst the armed Palestinian factions who believe that the peace process is no longer valid.[837]

Significantly, although the peace process has not produced fruitful results for the Palestinians and in terms of the two-state solution has led nowhere, even after 20 years, the EU continues

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[833] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).

[834] B'TSELEM, 'Land Expropriation and Settlements Statistics', <http://www.btselem.org/settlements/statistics>, accessed 1 February 2013.

[835] UN, 'The Fourth Geneva Convention; Convention (IV) Relative to the Protection of Civilian Persons in Time of War'. Art. 49

[836] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).

[837] Khaled Mashal, 'Speech in the 25th Anniversary of the Launch of Hamas ', (Gaza, 8 December 2013).

to count on negotiations between the Israelis and Palestinians.[838] In this regard, Israel is left to control all inputs and outputs of the peace process without outstanding progress on the ground; indeed, opportunities for achieving peace are diminishing significantly. Hence, the EU's insistence on bilateral talks between the weak Palestinians, represented by the PA, and those who have the force on the ground has played out in favour of the occupiers, who have barely moved towards implementing international resolutions about Palestine. Thus, the EU has indirectly played the role of the contractor for extending the age of the occupation by leaving it to control Palestinian land and lives, in addition to the potential results from such bilateral talks in such circumstances.[839]

Right of Defence vis-à-vis the Right of Resistance in the EU-Hamas Context

The EU has continuously confirmed the Israeli right of self-defence, but has never formally recognized the Palestinian right of resistance. It might recognize the latter in theory or on particular occasions but so far this has not happened in the Palestinian case. An anonymous member of the EEAS committee, whose views were shared by the MEPs Ioannis Kasoulides,[840] Ivo Vajgl[841] and Kyriacos Triantaphyllides,[842] noted that if the resistance was peaceful and based on recognition of Israel's right to exist, it would be recognized by the EU, but if it meant violence against Israel, the EU would not recognize it under any circumstances.[843]

From the perspective of Jarmo Oikarinen in the Policy Department of the Directorate-General for External Policies of the Union, "the EU's position is derived from the belief that political violence is not condusive to a political solution." He insisted that the region needed to escape from the cycle of violence, not to legitimize violent factors.[844] Contrary to the EU's belief, what was already legitimized by international law, i.e., armed resistance under occupation, clearly did not need more legitimization; however, in the case of Hamas, by neglecting this right the EU had become involved in a process of de-legitimizing something that was already covered by international law; a matter that conflicts with the core normative principles upon which the EU itself was founded. According to the UN charter

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[838] See: EU, 'Quartet Statement on Israel's Announcement on Gaza', in Council of the European Union (ed.), (11391/10 Brussels, 21 June 2010).
[839] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).
[840] Author's Interview, 'Ioannis Kasoulides', (Brussels 28 June 2012).
[841] Author's Interview, 'Ivo Vajgl', (Brussels, 28 June 2012).
[842] Author's Interview, 'Kyriacos Triantaphyllides', (Brussels, 21 June 2012).
[843] Author's Interview, 'Anonymous/ Counselor at EEAS', (Brussels, 1st June 2012).
[844] Author's Interview, 'Jarmo Oikarinen', (Brussels 11 September 2012).

> Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.[845]

Given that this internationally backed right of self-defense is valid, and nothing has been undertaken by the Security Council to stop the continuous Israeli aggressions in the Palestinian Territories, the EU position becomes contrary to UN logic.

Indeed, the de-legitimization process becomes clearer, when noticing an anonymous high-ranking EEAS member claims that the EU wants to see a negotiated solution and the ground should have to be prepared for this. In his opinion, the Palestinians' armed resistance as well as the Israelis' construction of settlements conflict with this objective, and because of this the EU wants to see trust and confidence-building, not the other way around.[846] Indeed, this mixing of perceptions of something already banned by the IHL, like the Israeli settlements, and other things already legitimized by it, like armed resistance against occupation, is a policy of those who do not wish to abide by international regulations as much as stick to their own interests and realistic calculations. Even if EU spokespeople talk about accepting peaceful resistance (adding the word 'peaceful' to resistance in fact has no basis in international law), 'armed' resistance to the occupation on the other hand is the only description of 'resistance against occupation' to have been emphasised by the UNGA, and is discussed in this context below.

Therefore, with each Israeli attack, these meanings are called on by the EU to remind both parties in the conflict of their responsibilities and limitations. The responsibility of the Israeli state is to defend its people but in accordance with international humanitarian law (IHL), whilst Hamas has to disarm and dismantle, since the only choice it has is to accept the status quo and to abide by the PA's regulations, as stated in the Oslo Accords and other Palestinian-Israeli agreements.[847] Despite the failure of these agreements, the Palestinians are obliged to behave within the restrictions of these conventions, even though their lands are increasingly being turned into Jewish settlements, thousands of their people remain in Israeli jails, and their hope for an independent state is vanishing, from the EU perspective Hamas, as well as other Palestinian factions, must remain calm, and avoid violent resistance that might sabotage the peace process.

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[845] UN, 'Charter of the United Nations ', (1945). Art 51)
[846] Author's Interview, 'Anonymous/ Counselor at EEAS', (Brussels, 1st June 2012).
[847] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).

> The EU condemns all acts of violence which cannot be allowed to impede
> progress towards peace. The EU recognises Israel's right to protect its citizens
> from attacks, but emphasizes that the Israeli Government, in exercising this
> right, should act within international law.[848]

The EU more than others knows that Israel has not abided by IHL and has continued to violate basic human rights, as is asserted in its own documents and human rights reports.[849] It also knows that Israel is not just defending its people but has been fully engaged in detaining and killing innocent civilians, confiscating Palestinian lands, building settlements in the internationally-recognized occupied territories, building a separation wall in these territories (contrary to IHL), and since June 2007 besieging the Gaza Strip.[850] Israel also devastated Palestinian infrastructure deliberately, during the wars on Gaza in 2008-09 and 2012 or earlier, as well as targeting agricultural land, universities, and playgrounds.[851] Significant aspects of these objectives are entirely unrelated to what Israel calls terrorism and, as the EU Commissioner for External Relations remarked,

> It is difficult to see how the destruction of the Gaza airport, the destruction of an
> EU-funded forensic lab and the destruction of vast areas of arable land can help
> fight terrorism or increase Israel's security. I would argue the opposite. [852]

Although this was the case from the EU's point of view, it would not do anything rather than trying to coax Israel into seeing that its policies would not help in fighting terrorism. Despite all these well-known violations, the EU continuously confirms the Israeli right of self-defence: nor have these abuses pushed the EU into affirming the Palestinian right to work against Israeli policy. Hence, even if they are under occupation the Palestinians must set the rhythm of their movement to the tone of endless negotiations with Israel as perceived by the EU. In reality, the EU's position is not related to the Oslo Accords, nor to the PA's commitments as might be inferred, since even before the Oslo agreements the Palestinian right of resistance had not been officially recognized; this means that the EU position is principled.

Not only has the Palestinian right of resistance been unrecognized by the EU but it has also been stigmatized as terrorism, especially in relation to violent or armed methods of

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[848] EU, 'The EU in the Middle East Peace Process'.2009
[849] See; EU, 'Conclusions on Gaza 3023rd Foreign Affairs Council Meeting ', in Council of the European Union (ed.), (Luxembourg, 14 June 2010).
[850] See; EU, 'Humanitarian Aid from the European Commission in the Occupied Palestinian Territory (OPT)'.
[851] See; International Court of Justice, 'Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory'. 2004. Also, Human Rights Council, 'Human Rights in Palestine and Other Occupied Arab Territories; Report of the United Nations Fact Finding Mission on the Gaza Conflict '. 2009
[852] Patten, 'Speech by Commissioner for External Relations About the Situation in the Middle East'.

resistance. As mentioned in its statements, the EU "rejects and fights violence regardless of the motivation";[853] however, this fight launched against violence distinguishes between the victim and the executioner in favour of the latter instead of listening to the victim's narrative. Hence, the violence of the victims against oppressive occupation is considered to be terrorism though guaranteed in international law, whereas the violence arising from the Occupation against IHL is considered as self-defense, not terrorism – or in the worst cases not proportionate and merely conflicting with IHL with which it should become compatible through adjustment.

As described by both Margrete Auken[854] and the MEP Paul Murphy,[855] this double-standard policy towards the parties in the conflict, has affected the EU's image in the ME, where people have begun to consider EU policy in this regard both imbalanced and incredible. According to Ilan Pappe,

> this unfair double-standard EU policy, in ethical terms, is not an exeptional case. It has to do with the very way that the EU uses the Arab-Israeli conflect; namely terrorizing the Palestinians, regarding evey Palestinian act as an act of terror, and legitimizing almost every Israeli act as self-defence or justified war.This was not only specific to the way the EU dealt with Hamas, but it is part of a bigger double-standard picture pertaining to Western policy in the so-called 'war on terror'. In the case of Hamas, it is in regard to the right of the Palestinians for self-determination and to struggle against occupation, and it is a double standard in the area itself where the good guys are those who are yours, but if they don't serve your interests they become terrorists.[856]

Hence, regarding Hamas resistance as terrorism is based on an unsettling balance that observes one of the parties in the equation but remains blind to matters concerning the other party.

Given that the Palestinian people have suffered under occupation for over 60 years, their right of armed resistance, along with their right of self-determination, undoubtedly represents an example of a people's continuously-confirmed rights, based on a number of UN General Assembly Resolutions (UNGAR). According to such resolutions it was strongly suggested in 1960 that exposing people "to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation." Therefore, "all armed action

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[853] EU, 'EU Action Plan on Combating Terrorism', in EU Counter-Terrorism Coordinator (CTC) (ed.), (Brussels: Council/European Council, 9 December 2011), .
[854] Author's Interview, 'Margrete Auken', (Brussels, 26 June 2012).
[855] Author's Interview, 'Paul Murphy', (Brussels, 21 June 2012).
[856] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).

or repressive measures of all kinds directed against dependent peoples shall cease in order to enable them to exercise peacefully and freely their right to complete independence, and the integrity of their national territory shall be respected."[857] In cases of continuing occupation that failed to abide by UN regulations, the UNGA clarified its position unambiguously in resolutions issued in 1974 and 1978;[858]

> It reaffirm[ed] the legitimacy of the struggle of peoples for independence, territorial integrity, national unity and liberation from colonial and foreign domination and foreign occupation by all available means, particularly armed struggle. In addition, it strongly condemn[ed] all Governments which d[id] not recognize the right of self-determination and independence of all peoples still under colonial and foreign domination and alien subjugation, notably the peoples of Africa and the Palestinian people.

It is obvious that even armed resistance is recognized by the UNGA as a method through which a people under occupation could seek their independence. Commenting on the debate regarding the Palestinian right to resist, Ahmed Yousef noted how it was the West itself that had legitimized the use of unrestricted methods of armed resistance against colonization and occupation; as was obvious in Algeria when the population launched their armed resistance against French colonialism, and in the case of Vietnam's resistance against the American occupation as well as in Afghanistan against the Soviet Union in the 1980s. In these and in other examples around the world, armed resistance had attracted Western support, "so why is the case of Palestine different?"[859]

As an organization under such an occupation, Hamas has the same right to resist by all means; therefore calling it a terrorist organization seems irrelevant. Even though it may breach certain regulatory norms in its struggle for freedom, this does not mean its internationally-recognized right of resistance must be confiscated, or that it should be delegitimized. Generally speaking, the EU should have adopted the UNGARs and expressed its understanding of what motivates the violence used by Hamas, exactly as it has expressed its understanding of the violence perpetrated by Israel without calling it a terrorist state or confiscating its right of self-defense, despite Israel's systematic breaches of IHL. According

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[857] UNGA, 'Declaration on the Granting of Independence to Colonial Countries and Peoples', (1514 (XV) 14 December 1960).

[858] UNGA, 'Importance of the Universal Realization of the Right of Peoples to Self Determination and of the Speedy Granting of Independence to Colonial Countries and Peoples for the Effective Guarantee and Observance of Human Rights', (A/RES/3246 (XXIX), 29 November 1974). Also UNGA, 'Importance of the Universal Realization of the Right of Peoples to Self-Determination and of the Speedy Granting of Independence to Colonial Countries and Peoples for the Effective Guarantee and Observance of Human Rights', (A/RES/33/24, 29 November 1978).

[859] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

to EU sources,

> Israel has every right to respond to inexcusable acts of provocation. But while Israel is entitled to do what is required to protect its security, it should do so in a way which does not escalate the situation and which is proportionate and measured, conforms to international law, and avoids civilian deaths and suffering.[860]

Contrary to the methods it applied in sanctioning Hamas, the EU countered Israel's arbitrary use of the right of self-defense with advice and recommendations. It confronted Israeli disproportionality through processes of appeasement and talks only, though this disproportionality breached the very core of international law. Hence, the EU's advice for the Israeli Occupation was that it should defend itself but in a proportionate way so as to win the hearts and minds of the Palestinians. According to EU sources, "the battle against terrorism is not so far from the battles for hearts and minds";[861] a matter that makes it necessary to avoid targeting Palestinian civilians. In this contradictory way, the EU has perceived the rights of both.

Since the EU recognizes that the Israeli state has had the right of self-defense, it should do the same if it is a normative power directed by its declared values, morals and norms. If the EU does not commit itself to this logic, its considerable bias in this regard reaffirms its realistic policy of double standards, based on self-interest and balance of power rather than on ethics or morals. In interpreting this political behaviour by the EU, the MEP Takis Hadjigeorgiou, noted how

> we come to that period in history where the major powers in the EU and in the world decide whether you have the right to resist and to take up weapons to fight. In my opinion, the world is changing dramatically and people have the right to fight in order to win their freedom. It is hard to find a country that has won its indepencdence without weapons. The right of resistance is the right of freedom but the people who have power in the EU believe we have reached a certain time in history when we can solve problems without resistance; they don't give the right to resist but they don't give the impression that they are trying to solve the problem peacefully.[862]

Thus, in his interpretation, while people have the right of resistance as a counterpart of freedom, the decision about this is dominated by the world's major powers and thereby it is given to others but not taken by those who seek it, which indicates how the role of the

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[860] EU, 'Press Statement by Margaret Beckett, UK Foreign Secretary, and Javier Solana, EU High Representative for CFSP, on the Middle East', in European Commission (ed.), (S198/06; London, July 13th 2006).

[861] EU, 'Remarks to Journalists by Javier Solana, EU High Representative for CFSP, and Tzipi Livni, Israeli Foreign Minister, ' in European Commission (ed.), (S214/06; Jerusalem, 19 July 2006).

[862] Author's Interview, 'Takis Hadjigeorgiou', (Brussels, 11 July 2012).

balance of power functions when it comes to the rights of the weak. Accordingly, the EU's problem with Hamas is represented in the former's ignorance of the latter's right to resist against Israeli civilians and at the military level. In this regard, the EU has consistently condemned Hamas's resistance against both levels, and considered all kinds of violent actions as a sort of criminalized terrorism. This was obvious, *inter alia*, in two occasions in which Hamas kidnapped Israeli soldiers, whereas the EU considered the process of captivity as an act of terror.

The first incident involved the abduction by Hamas of Corporal Nachshon Wachsman in the West Bank in 1994. After expressing "its profound horror and outrage", the EU called Hamas a terrorist group which wanted to destroy the peace process.[863] The second involved the case of Gilad Shalit, and is discussed in detail below. Thus, Hamas is asked to abandon all kinds of resistance regardless of its target, whatever the Palestinian circumstances might be, and wherever its enemy is located. As the Quartet Committee demanded,

> All Palestinian individuals and groups must end acts of terror against all Israelis, anywhere. The Quartet calls on the Palestinian authorities to take all possible steps to halt immediately the activities of individuals and groups planning and conducting attacks on Israelis. [864]

Hence, in the EU's view, all Israelis everywhere must be immunized against being targeted by the Palestinian resistance, terror, regardless of whether they are in military uniform or civilian clothing. This stems in Gazi Hamad's standpoint from the fact that the EU refuses Palestinian resistance in principle.[865] The apparent inconsistency in the EU's discourse can be seen by scrutinizing the position of David Miliband, then UK Foreign Secretary, who was asked whether people denied political opportunities were justified in acting violently. His answer was unequivocal; "I think the classic case for Europeans is always 'if you were in France in 1942, would you have joined the French resistance?' and of course the answer is 'yes'".[866] Although his comment was in the context of the violent struggle against South African apartheid, there is no reason for accepting such a position in that context while refusing it in the context of the Palestinian-Israeli conflict. Thus, EU policy in this regard is very obvious; it is built on stripping Hamas of the right of resistance against the occupation

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[863] EU, 'Statement by the Presidency on Behalf of the European Union on Recent Terrorist Violence in Israel'. 1994
[864] MEQ, 'Statement by the Quartet'.
[865] Author's Interview, 'Gazi Hamad', (Gaza Strip, 18 February 2013).
[866] Osama Diab, 'David Miliband: Revolution V Extremism', *Interview* <http://chronikler.com/europe/uk/david-miliband/>, accessed 22 January 2013.

and keeping the right of self-defense in the hands of the Israelis; a matter which has left far-reaching consequences on the EU's credibility as a normative actor based on the internationally-respected principle of the Rule of Law.

Gilad Shalit versus Palestinian Prisoners: How Perceptions Have Interacted

On 25 June 2006 Hamas abducted Gilad Shalit, an Israeli soldier who was on duty in the Israeli army besieging the Gaza Strip. Subsequently, he was released on 18 October 2011 in a deal between Israel and the Hamas movement. In fact, the soldier became one of the most famous soldiers in the world due to the attention generated by his captivity in Gaza. Ironically, when abducted he was wearing his military uniform, as Margrete Auken likes to mention when commenting on the illogical accusation of Hamas's involvement in 'terrorism'.[867] He was one of those human tools used by the Israeli occupation to worsen the circumstances of the Palestinian people in Gaza, one of the poorest areas in the world.[868] Having been kidnapped by armed Palestinian groups including Hamas, he became a prisoner of war and was held as a bargaining chip for the purpose of releasing Palestinian prisoners in Israeli jails as his hijackers constantly announced.

Interestingly, the EU took up his case and the humanitarian conditions in which he was confined, and through separate statements issued by all EU institutions, called systematically on the Palestinians to release him.[869] Few of these statements focused on Shalit's French nationality, as some might have interpreted as a cause for EU concern, but instead focused on his Israeli identity and his right to be free with his family; a matter which appeared in huge numbers of EU documents concerned with his case. However, when Salah Hammouri, a French Palestinian, was imprisoned by the Israelis for six years between 2005 and 2011, there were no EU documents dedicated to his situation, as was issued regarding Shalit, nor was he even mentioned until his mother launched a harsh criticism of France's double-standard policy in this regard.[870] Had the secret behind the EU's concern about Shalit been his French identity, this would also have applied to Hammouri as a French citizen in an Israeli jail, meaning that this debate is no longer valid.

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[867] Author's Interview, 'Margrete Auken', (Brussels, 26 June 2012).

[868] On the eve of Shalit's kidnapping, the people of Gaza were suffering from a 30 percent fall in income; unemployment was at 40 percent and poverty levels at 67 percent, as confirmed by Benita Ferrero-Waldner. See; EU, 'Speech by Benita Ferrero-Waldner About the Situation in the Palestinian Territories'.

[869] See for example; EU, 'Question for Written Answer to the Commission by Franz Obermayr', in European Parliament (ed.), (Parliamentary questions, E-011058/2010; Brussels, 7 January 2011).

[870] A.F.P., 'The Prisoner's Mother Salah Hammouri Criticizes France's Position on the Issue of Her Son', *Al-Ayyam newspaper,* 26 Oct 2011.

Both before and after the abduction of the Israeli soldier, thousands of 'Palestinian Shalits' remained in Israeli prisons, neither discussed nor even mentioned in EU documents throughout the conflict. According to a human rights report by the Addamir Association on 1 October 2011, the month of Shalit's release, there were 5434 Palestinian political prisoners in Israeli prisons and detention centres, including 17 PLC members and 286 administrative detainees, as well as 36 females and 262 children.[871] As agreed between Hamas and Israel, 1027 Palestinians were to be released in exchange for Shalit, but huge numbers of prisoners remained in Israeli captivity. While the above-mentioned trend has generally dominated the EU discourse over time, a few documents have noted the topic of the PLC prisoners, but in the context of Shalit's case,[872] where both sides are called on to release Shalit and the PLC prisoners,[873] or in the context of the need for "mutual trust-building measures" to be taken by all sides.[874] Thus, the PLC prisoners have not attracted much attention in the EU documents while other Palestinian prisoners have almost been excluded from such any EU consideration.

However, the difference is not only in the number of documents dedicated either to Shalit or to Palestinian prisoners, but also in the manner in which the EU directed its discourse towards the Palestinian groups or to the Israeli state. In the first case it used to call for the "unconditional",[875] and "immediate release of Sergeant Gilad Shalit",[876] or "the urgent release of the kidnapped Israeli soldiers" (referring also to the Israeli soldiers abducted by Hezbollah).[877] As such, after reminding Israel of their deep friendship, and condemning the kidnapping of Shalit, Javier Solana, the EU's High Representative, issued a very clear petition for the release of the Israeli soldier. Interestingly, Solana expressed no understanding of the Palestinian right of resistance against the occupation, not only at the civilian level at this specific time but also against the Israeli military institution in particular, apparently forgetting the reality of the thousands of political prisoners languishing in Israeli prisons contrary to the Geneva Conventions. In his words,

> I would like to say, very clearly and loudly, that we have condemned the

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[871] Addamir Association, 'Addameer Monthly Detention Report - 1 October 2011', <http://www.addameer.org/etemplate.php?id=417>, accessed 5-2-2013

[872] EU, 'Report on the Annual Report on Human Rights in the World 2009 and the European Union's Policy on the Matter', in European Parliament (ed.), ((2010/2202(INI)); Brussels, 23.11.2010).

[873] EU, 'Summary: EU Council Conclusions on the Middle East ', in EU Council (ed.), (Brussels, 17 July 2006).

[874] EU, 'European Parliament Resolution on Gilad Shalit', in European Parliament (ed.), (P7_TA(2010)0066; Brussels, 11 March 2010).

[875] EU, 'General Report on the Activities of the European Union 2006 '. p. 190

[876] EU, 'European Parliament Resolution on Gilad Shalit'.

[877] EU, 'Press Statement by Margaret Beckett, UK Foreign Secretary, and Javier Solana, EU High Representative for CFSP, on the Middle East '.

kidnapping of the soldiers. There is no reason to do that, it is something absolutely unacceptable. And I would like to say this as loudly as possible, as clearly as possible and I would like to say, also very clearly, that those who may have influence to help solve this problem, they have to do it soon, immediately, now.[878]

Significantly, the EU's reaction on the abduction of the soldiers was firm, crucial and strong, whereas this frankness was nowhere to be observed when talking about the Palestinian prisoners. In fact, the immediate release of Palestinian prisoners for freedom was supported internationally by the UNGA which, clearly and in principle,

> demanded the immediate release of all persons detained or imprisoned as a result of their struggle for self-determination and independence, full respect for their fundamental individual rights and the observance of article 5 of the Universal Declaration of Human Rights, under which no one shall be subjected to torture or to cruel, inhuman or degrading treatment.[879]

But, when Solana was asked by a journalist to comment on the arrest of the elected PLC members by Israel he could only say that it was "not helpful",[880] an expression that in no way compared with Solana's comments on the detention of Shalit. Astonishingly, using different phrases and expressions in a very short statement Solana strongly condemned the latter's abduction and called for his release 'immediately now'. In spite of the military duty that Shalit was proceeding around Gaza, Solana described the attack as 'absolutely unacceptable' and happened with 'no reason', confirming the EU's opinion, in his words, 'loudly', 'as loudly as possible', 'very clearly', 'as clearly as possible', 'also very clearly'. In fact, the deep gap between the two languages used in the two cases reflects the extent to which the EU's leaders are biased and scandalously sympathetic to one party rather than the other.

However, representatives and ministers of the Palestinian government who had been imprisoned after the abduction of Shalit did receive some moral support when the EU called a few times for their immediate release.[881] Given that this happened in the Shalit context only, the EU clearly used another kind of rhetoric when speaking of the Palestinian prisoners in general, different to that dedicated to Shalit. Purposefully, the Israeli soldier was the aim when issuing European statement, while Palestinian prisoners were merely a mean to achieve

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[878] EU, 'Remarks to Journalists by Javier Solana, EU High Representative for CFSP, and Tzipi Livni, Israeli Foreign Minister, '.

[879] UNGA, 'Importance of the Universal Realization of the Right of Peoples to Self-Determination and of the Speedy Granting of Independence to Colonial Countries and Peoples for the Effective Guarantee and Observance of Human Rights'. 29 November 1978. Art 13

[880] EU, 'Javier Solana, EU High Representative for CFSP, Calls for the Restoration of Calm and Unity During His Visit to the Palestinian Territories Gaza ', in European Commission (ed.), (S160/07; Brussels, 24 May 2007).

[881] EU, 'Summary: EU Council Conclusions on the Middle East '.

the ultimate goal represented in releasing him. This could be read, for example, in EU statement stressing that "mutual trust-building measures by all sides, including a significant release of Palestinian prisoners, may help to create a constructive atmosphere leading to the release of Sergeant Shalit."[882] Hence, when talking about Palestinians, the EU's call for their release only came about in order to serve another purpose, and not because the Palestinian prisoners are prisoners for freedom and have, immediately, urgently and unconditionally, to exercise their right to freedom without further delay, as the above-mentioned UNGAR suggested. In commenting on this paradox, Ilan Pappe asserts that Israel succeeded in marketing Shalit to the EU as a NATO soldier similar to those fighting in Afghanistan against terrorism.[883] Therefore, the EU's use of language in both cases was widely different and reflected the extent to which Israeli interests were/are prioritized.

The EUHR Catherine Ashton expressed sympathy with Shalit and his family after his release, in a special statement that failed to mention any of the thousands of Palestinian prisoners and their families, whose suffering was no less than that of Shalit. Her statement was another reminder of the EU's imbalanced position, since one soldier could scarcely equal the Palestinian numbers released in the deal, and because Shalit had been captured in a military context while most of the Palestinians were political prisoners, seized in quite different circumstances by Israel. Remarkably, Ashton welcomed Shalit's release but ignored the release of the huge number of Palestinian prisoners, not to mention those who for the same political reasons remained in Israeli jails, saying that,

> I warmly welcome the news that Gilad Shalit will soon be able to return home after five years of captivity putting an end to the long ordeal that he and his family have endured. During my visits to Israel I personally shared my concerns and expressed the support of the EU and of the international community at large to Gilad's family.[884]

Even though hundreds of the Palestinian prisoners were children and administrative detainees who had been imprisoned contrary to IHL,[885] not to mention the 40 or so PLC members and ministers who were in Israeli jails, the EU did not find it necessary to devote a special statement to the difficulties that they had encountered, or even to mention them loudly. This prompted the MEP Frieda Brepoels to question the Commission about Ashton's failure to welcome the release of the Palestinians as she had done with Shalit, or to mention those who

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[882] EU, 'European Parliament Resolution on Gilad Shalit'.
[883] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).
[884] EU, 'Statement by the EU High Representative, Catherine Ashton, on the Deal between Israel and Hamas on the Release of Gilad Shalit and Palestinian Prisoners', (A 407/11; Brussels, 12 October 2011).
[885] See; EU, 'Report on Peace and Dignity in the Middle East '. Art 39

remained in Israeli prisons. Although the answer received was not a direct response to this criticism, the EU Commission affirmed that it had prompted informal discussion with various human rights committees on issues related to the Palestinian prisoners.[886] Again, the EU's behaviour confirmed the double-standard policy used in the conflict in favour of Israel; reflecting the psychological aspects of the EU towards the parties in the ME conflict.

Collective Punishment: What if it was the Opposite

The blockade and its subsequent outcomes have been part of Israel's collective punishment of the Palestinians and have been also carelessly dealt with by the EU. Targeting the Palestinian infrastructure, as well as using a policy of starvation against people under occupation, is one of the premeditated and excessive punishments being applied contrary to the Fourth Geneva Convention. Indeed, by threatening and thereafter targeting the lives of civilians in Gaza as its reaction to some Palestinian attacks against it, Israel has shown no respect for the IHL, while the EU did virtually nothing to prevent Israel from applying such a policy. According to the Israeli foreign minister Tzipi Livni before the 'Cast Lead' war was launched against Gaza,

> It is an untenable situation that Israeli children should be under Kassam rocket attack on a daily basis, while life in the Gaza Strip carries on as usual. This is totally unacceptable. If life in Israel is not as usual, as it needs to be, neither will life in the Gaza Strip be as usual [sic].[887]

Therefore, from the Israeli perspective the equation was obvious; Israel's response to the primitive rockets[888] fired from the Gaza Strip would be to ruin the lives of the Gazan people. Although not all Palestinians were involved in such military actions, in Livni's view, their life should have been unusual; exactly as life for the Israelis was unusual. Furthermore, she threatened to use all possible means, even beyond military action, to turn Gaza into "a hell", in a clear signal of Israel's control over Gaza's electricity, water, and imports and exports which could all be used in the fight against Hamas. In her words,

> Gaza is dependent on Israel and on Israel's willingness to continue letting it lead a certain type of life. I think we can, and should, think of using some of these means in order to convey the message that there is no such formula: we cannot

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[886] EU, 'Question for Written Answer to the Commission by Frieda Brepoels (Verts/Ale)', in European Parliament (ed.), (Parliamentary questions; Brussels 22 November 2011).

[887] Tzipi Livni, 'Press Conference with EU High Representative Solana', in Israel Ministry of Foreign Affairs (ed.), (Jerusalem, 3 September 2007).

[888] 'From June 2004 to 17 November 2012, 23 Israeli civilians were killed in Israel by Palestinian rocket and mortar fire'. See B'TSELEM, 'Attacks on Israeli Civilians by Palestinians', *Statistics* <http://www.btselem.org/topic/israeli_civilians>, accessed 27 February 2013.

continue to accept a situation wherein kindergarten kids are under daily threat while in Gaza life continues as usual [sic]. [889]

Thus, Israel's subsequent use of such punishments against all civilians in Gaza was well-planned at the political level in Israel, and deliberately implemented. The plan was clear since, as Livni said, Israel wanted to convoy a clear message to Hamas and other armed Palestinian factions to the effect that it was 'Palestinian life versus the Israeli life'. Any inconvenience in Israel would be followed by inconvenience in Gaza. Even if those to whom this message was conveyed did not constitute the entire population of Gaza, the latter still had to pay the price collectively. This meant that innocent civilians would be the victims of the occupation that should have protected them. Even when rockets were shot by other Palestinian factions that diverged from Hamas's position, it was Hamas that controlled Gaza, and Livni had no intention of looking at factional nuances. The only thing she knew was that life in Gaza "cannot go on there as normal."[890] The problem with this Israeli message, which was broadcast in separate press conferences with EUHR Solana and Italy's Foreign Minister D'Alema, was that it became permanent policy against the Palestinians. Even though Israel's threats and logic were against international law, the EU representatives expressed a significant level of indifference towards such statements and their consequential outcomes.

Contrary to what had happened with Hamas, the EU did not regard Israel's dangerous equation, as highlighted by Livni, as some kind of terrorism. Despite Israel's frankness in justifying its policy against innocent civilians in the Gaza Strip and its subsequent crimes in Gaza, the EU dealt with this fact in its usual manner. Indeed, what made the Israeli formula acceptable to international society, in terms of not being reckoned an obvious terrorist state, would also make it valid in the case of Hamas. Hamas could equally well have said that, as far as Palestinian life was unusual as a result of the Israeli occupation, Israeli life would not be usual inside Israel. It could also have said that, as long as five million refugees were living miserably in camps, dispersed from their homes because of the occupation, the lives of five million Israelis would not carry on easily. Unless their lost homes, lands and properties were restored to the Palestinians, Hamas would not end its resistance against those who illegally controlled these valuable possessions. This Hamas logic, based on the reality that its resistance is simply in reaction to the Israeli occupation, has not been accepted by the EU; and because Hamas held such convictions it is as a result stigmatized as a terrorist

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[889] Livni, 'Press Conference with EU High Representative Solana'. 2007
[890] Tzipi Livni, 'Press Conference with Italian Foreign Minister D'alema', in Israel Ministry of Foreign Affairs (ed.), (Jerusalem, 5 September 2007).

organization, while the same Israeli logic, practically applied, has been strikingly tolerated. Accordingly, the inconsistency of the EU's values and its practices once again confirmed its double-standard policy and was charted in the Arab-Israeli conflict as favouring one party and strongly opposing the other.

Conclusion

It is obvious that in the Palestinian context, there is a big gap between resistance and terrorism, both theoretically and in practice. While the IO is responsible for the violence that accompanies its policies in the Occupied Territories, resistance against the Occupation has been sustained by international law. However, controversial acts of resistance should be seen in their context as a reaction against specific anticipatory actions represented in the occupation itself, with all the instantiations that have challenged the core existence of the Palestinians on the ground. Indeed, there is no reaction without it being anticipated with an action by somebody; therefore, the resistance, either in Palestine or in any other occupied and colonized place, should be viewed from this perspective. If the actions of the armed groups should have been deemed as terrorism by the EU, the violence of a state, even if its name is Israel, should likewise have been deemed as terrorism.

These socio-political concepts have stemmed from the EU's previously-constructed perceptions of the two parties in the Arab-Israeli conflict and from contradictory meanings given to particular behaviours and policies followed by both. Against this background it appears highly significant that the EU's recognition of the Israeli right of self-defence should have been at least accompanied by the belief in the right of resistance for those suffering under occupation, in accordance with the IHL. If the EU entity is a normative power driven, *inter alia*, by the rule of law, it should have looked at the two sides from this perspective. If the EU respects Israeli rights while turning its back on Hamas's rights, this indicates the EU's realistic agenda that is built on interests and the 'balance of power' principle, rather than the normative claimed considerations. Hence, the EU's response to the violation of the IHL by both Israel and Hamas should be dealt with in the same way, so that it is seen to be a capable mediator in the Arab-Israeli conflict; otherwise, the EU will not be in accord with the declared motivations and values of its own foreign policy.

Chapter Seven: The EU's Perception of Israel as a Self-Driving Determinant

> 'It is often impossible to explain crucial decisions and policies without reference to the decision-makers' beliefs about the world and their images of others'.[891]

This Chapter: Why and How

This chapter is based on a major assumption to the effect that if we wish to understand the logic behind the European Union's foreign policy towards Hamas, we have to identify how the EU perceives Hamas's adversary, Israel. Indeed, when drawing up the EUFP towards Hamas, the most important actor to be taken into account in the EU's external milieu is Israel – a constant Western reality that, since 1948, has been socio-politically, culturally and physically constructed in the ME, with full European assistance. Israel has been a European-branded product that was carefully and intentionally embedded in this corner of the ME, i.e., in Palestine. Significantly, its direct and indirect influence is therefore of high importance, in terms of studying the EU's FPDM towards those states or non-state actors that might threaten its core existence, or contradict the EU's strategies concerning it. However, these strategies are based, *inter alia*, on settling the Israeli state within secure and permanent boundaries with peaceful relationships with its neighbours. Here the study focuses on examining the roots of the socially-constructed relationship between Christian Europe and the Jews over time, and how this socio-cultural association has been transformed from being a historical adversarial relationship into one of friendship and alliance.

Significantly, FP decision-makers are generally used to being influenced by inter-subjective meanings generated from the process of interaction between a diversity of cultural, psychological, political and even religious factors. Therefore, beliefs, values and perceptions of the Europeans about Jews, and lately the state of Israel, will be duly emphasized. Taking account of the fact that the constructivist school of thought deals with International Relations (IR) from an intersubjectively interactive perspective, the Judeo-Christian identity that dominates the strong Euro-Israeli bond and that has been socially produced and reproduced through various historical junctures, will be among the matters under investigation.

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[891] Jervis, *Perception and Misperception in International Politics*. p. 28

An understanding of the ideological factors and the cultural backgrounds of the EU policies towards Hamas will be gained by articulating the reasons behind the deep internalization of the Israeli state in the European mentality. This will be compatible with the actor-structure approach adopted in this thesis, which involves analysis of the structure of the interior and exterior milieus of the actors, and out of which the Euro-Israeli relationship has arisen. In the second section, this will be further enhanced by scrutinizing some recent EU documents or speeches directed by leaders of the EU to the Israelis in different occasions which support our conclusions regarding the profound bond through which the two actors are associated, and that undoubtedly affects the DM process towards Hamas.

Section One: Constructing the Bond: Ideologically Inspired Socio-Political Process

> Palestine is our ever-memorable historic home. The very name of Palestine would attract our people with a force of marvellous potency…we should there form a portion of a rampart of Europe against Asia, an outpost of civilization as opposed to barbarism. We should as a neutral State remain in contact with all Europe, which would have to guarantee our existence. The sanctuaries of Christendom would be safeguarded by assigning to them an extra-territorial status such as is well-known to the law of nations. We should form a guard of honour about these sanctuaries, answering for the fulfilment of this duty with our existence. This guard of honour would be the great symbol of the solution of the Jewish question after eighteen centuries of Jewish suffering.[892]
>
> Theodore Herzl

Clash of Identities: Hamas vis-à-vis the EU and Israel

The combining of perceptions between the Jewish community, represented latterly by Zionism, and European leaders from the 18th century onwards, provoked inter-socially constructed meanings which constituted the foundation of a continuing and strengthened relationship between the two actors. This collective and sympathetic perception towards Jews, which eventually resulted in 1922 in the Mandate by the Council of the League of Nations under the influence of the European superpowers, produced and legalized a new socially-constructed reality known as 'the Jewish home land'. This new reality was based on historical acknowledgements, as mentioned in the Mandate, rather than on legal or lawful considerations. After being legitimized by the UK mandate and the Council of the League of Nations the phrase was taken out of its historically-common cultural framework and considerably politicised. In fact, after repeating the substance of the 1917 Balfour Declaration, the Preamble to the League of Nations Mandate continued:

> Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country, the Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, and the development of self-governing institutions.[893]

Notably the text speaks of the history and the reconstituting of the Jewish national home which, according to Jewish narratives, had ended two thousand years of suffering. Interestingly, the confluence of the two actors' perceptions of their interests in Palestine (a mixture of material and non-material considerations) interacted effectively and

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[892] Theodore Herzl, *The Jewish State* (Maryland: Wildside Press, 2008). p. 13
[893] League of Nations, 'The Palestine Mandate of the League of Nations',
   <http://www.mideastweb.org/mandate.htm>, accessed 16-10-2012

intersubjectively, constructing a new identity for Palestine, as well as a new identity for the European-Jewish coalition in the ME that is built on the Western Judeo-Christian perception of this sacred place.[894] This identity has produced and reproduced through a process of interaction between the constitutive elements of the two actors over time, and has eventually crystalized in recent decades to become what has been politically seen as an entity that is strong and not subject to bargaining.

Practically speaking, the new crystalized identity that came about with the British mandate to Palestine contradicted the very core existence of the Arabs in this area on the eve of that historical turning point, and affected the area's long-defined Arab identity. The region has been therefore beset by a striking and inflammatory clash of identities which would eventually come to govern the entire political scene. Undoubtedly, the relationship with Hamas cannot be examined without an awareness of the way Hamas defends the Arab and Islamic identity by representing a vast current of people not only in Palestine but also in the Islamic World, while the EU and Israel together still defend the newly-created identity for Palestine that followed the Balfour Declaration in 1917 and establishment of the Mandate in 1922.

The European-Jewish vision of Palestine was compatible with the vision proposed by Theodor Herzl as a founder of Zionism, and the combined vision of the colonial states from that period onwards. According to Herzl, Israel would be the safeguard of Western civilization in the face of barbarism, and an outpost against an undeveloped and divergent Asia. As a result, according to Herzl, Europe should in return guarantee the security and existence of the Jewish state.[895] Thus, the mutual roles and responsibilities with Europe in this regard were clearly defined from the Zionist perspective and the former would represent the other part of the equation. By the same token, the significance of the creation of a Jewish home in Palestine was highlighted by Herbert Samuel, who became the High Commissioner of Palestine in 1920 after the British occupation. In a memorandum to the War Cabinet, Samuel suggested that under UK protection, such a Jewish community would be of great importance to the UK by shielding Egypt from the potentiality of being constantly menaced

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[894] This perception is based on an assumption that Palestine was the land of the Bible; the birthplace of Jesus, and an ancient home of Jews. Therefore, in modern times it is essentially a Judeo-Christian place that forms a natural extension of Western civilization. See; Lawrence Davidson, *America's Palestine: Popular and Official Perceptions from Balfour to Israeli Statehood* (USA: University Press of Florida, 2001). p.5

[895] Herzl, *The Jewish State*. p. 13

should Palestine fall into the hands of any other contradictory continental Power.[896] Taking other considerations into account, this suggestion underlined the UK's interest in the circumstances of WWI and the situation in the post-war era, and accordingly met Herzl's perception of such a relationship between the two actors.

This perception was promoted by another memorandum in 1939, describing the benefits which, in the event of war, the UK would gain by having a Jewish state in this specific corner of the world. As the memorandum revealed, the "Jewish population in Palestine would produce a disciplined army and be provided with wealth and industrial capacity for war production in that strategic corner of the world which would be an added source of strength to us in case of war."[897] Significantly, this assessment remained constant over time, especially during the Cold War period when Israel was perceived as the protector of Western interests in the ME, should these receive direct or indirect threats from any extension of Communism. In this case, in the opinion of the UK's Prime Minister in 1979, Israel would be "the only one state in the region, which would stand up and fight beside the West against the extension of Communist influence"; similarly, "if the Middle East were to be the scene of a major East/West confrontation, Israel would probably be the West's only ally."[898]

Hence, the bilateral perceptions of both Europe and Israel would define the steps and policies followed in Palestine, including more recently by Hamas as a movement that contradicts the bases around which this strong Euro-Israeli coalition is constructed. Consequently, the two crystallized identities that have been established around Palestine by the two sides have fallen into a conflict in which Hamas has been boycotted and its electoral triumph ignored.

Historical Contextual Review of European-Jewish Relations

> Virtually the whole of Europe, with its 2000 years of history, bears the burden of the moral debt towards the Jewish people whose eradication was planned during a dark period of the century which is now coming to an end…. however, throughout that period in which the Christian religion had such a profound influence on the development of European societies, the collective curse borne by the Jewish people contributed greatly to its tragic destiny, that of a people cast out of the land of Abraham and then continually rejected or humiliated almost everywhere else. Anti-Semitism, which fifty years ago produced the horrors we have heard and read so much about, has its roots in this long historical development which is common to

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[896] UK, 'The Zionist Movement', (October 1917).

[897] UK, 'Memorandum About Palestine', in Secretary of State for the Colonies / Colonial Office (ed.), (CAB/24/282: The National Archive, January 18, 1939). p. 8

[898] Memorandum, 'The Palestinians', in Foreign and Commonwealth Office (ed.), (Catalogue Reference:PREM/19/92; London: The National Archive, 15 August 1979).

Europe as a whole. If we wish to see justice done, it is our duty to acknowledge it, and I do so now.[899]

Nicole Fontaine

Before the early religious reform movements in Europe during the 15th century and onwards, Jewish people living under Catholic hegemony in Europe and elsewhere, were barely able to gain their religious freedom due, *inter alia*, to the common belief in Europe that they were the killers of Jesus Christ.[900] "This arch crime [sic] of 'deicide,' of murdering God, turned the Jews into the embodiment of evil, a 'criminal people' cursed by God and doomed to wander and suffer tribulation to the end of time."[901] Regardless of whether this perception was entirely correct or quite erroneous, this was the pretext used over time by Christian clergy in Europe against Jews whose rights were systematically violated and confiscated.[902] According to Perry and Schweitzer, it is obvious that "without that Christian anti-Judaism, lethal and genocidal European anti-Semitism would have been either impossible or at least not widely successful."[903] In fact, this feeling, created an atmosphere of hostility and hatred toward Jews who had lived under its shadow, politically oppressed and socially isolated[904] for a long time.[905]

From the 16th century and the European Religious Reform Movement (ERRM) that began in 1517 with the Protestant Reform movement led by Martin Luther, collective European feeling against Jews witnessed a notable change. Significantly, amongst many issues which were subjected to revision in this period was the relationship with the Jewish community who, according to Luther, should have been better treated by Christians. Luther's ideas were included in an important book, considered pro-Jewish, entitled *That Jesus was Born as a Jew*, which portrayed Jews in a more favourable light and contradicted popular beliefs in Europe

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[899] Nicole Fontaine, 'Address by Nicole Fontaine, President of the European Parliament to the Knesset ', (Jerusalem: Israeli Knesset 21 February 2000).

[900] For more information about the reasons for hostility against Jews in Europe see; William I. Brustein, *Roots of Hate: Anti-Semitism in Europe before the Holocaust* (Cambridge: Cambridge University Press, 2003). p. 49-95

[901] Marvin Perry and Frederick M. Schweitzer, *Anti-Semitism: Myth and Hate from Antiquity to the Present* (New York: Palgrave Macmillan, 2002). p. 18

[902] For more information on the violence directed against them over time see; Anna Sapir Abulafia (ed.), *Religious Violence between Christians and Jews: Medieval Roots, Modern Perspectives* (New York: Palgrave Macmillan, 2002). p. 3-86

[903] Perry and Schweitzer, *Anti-Semitism: Myth and Hate from Antiquity to the Present*. p. 18

[904] For example, "in 1555, a papal decree (Cumnimis absurdum) presented by Pope Paul IV called for the confinement of the Jews to a particular street or quarter within a town or city. Although Jewish ghettoes had a prior existence in Europe, they had never before received a Pope's public stamp of approval. Thereafter, Jewish ghettos sprang up throughout Europe." See; Brustein, *Roots of Hate: Anti-Semitism in Europe before the Holocaust*. p. 55

[905] For more details see; Ibid. p. 53-56

regarding the collective accusation of ancestral Jewish guilt against Jesus.[906] This idea with its wider meanings is believed to be one of the driving factors of the support given to Israel by the EU, in the opinion of an official from the EEAS.[907]

Subsequently the importance of the value of the Jewish race was religiously internalized in the newly-generated atmosphere in Europe as something associated with the Christian doctrine of salvation that links the return of Jesus to earth with the return of Jews to 'their' land, 'Palestine', as commonly interpreted from the Old Testament.[908] Ever since, establishing a Jewish homeland in Palestine, as 'a promised land' given by God, has become some kind of interest for those known as 'Evangelicals',[909] or later as Christian Zionists,[910] rather than being exclusively a Jewish interest. According to Stephen Spector, "the alliance that many born-again Christians offer to Israel and the Jewish people is astonishing to many Jews", and as a Jew he, like many others, does not share the major dogmas that constitute the heart of evangelicalism.[911] This matter shows the extent to which this widespread notion has become common in Western culture.[912]

> The chief biblical imperative to bless Israel is God's promise to Abraham in Genesis 12:3, which promises a reward for those who bless the Jews and punishment for those who curse them: 'I will bless those who bless you and curse him who curses you'. This verse is by far the most prominent reason that

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[906] Martin Luther, 'That Jesus Christ Was Born a Jew (1523) - Excerpts', <http://www.ccjr.us/dialogika-resources/primary-texts-from-the-history-of-the-relationship/272-luther-1523>, accessed 1-11-2012

[907] Author's Interview, 'Anonymous/ Counselor at EEAS', (Brussels, 1st June 2012).

[908] Stephen Spector, *Evangelicals and Israel: The Story of American Christian Zionism* (Oxford University Press, USA, 2009). p. ix Also see; Zev Chafets, *A Match Made in Heaven: American Jews, Christian Zionists, and One Man's Exploration of the Weird and Wonderful Judeo-Evangelical Alliance* (London: HarperCollins, 2008). p. 23

[909] 'Evangelicals' concept means a theological cultural current rather than an organization or a party amongst Christians. It has 'no standard meaning but only a semantic range' and sometimes is equalized with other concepts like the 'religious right' or 'fundamentalist' as commonly used latterly. 'Historically it is the preferred term for Protestants and especially Lutherans in Europe' and in 'Great Britain and North America, it often refers to the revivalist movements that began with German Pietism (e.g., the Moravians who emigrated to Great Britain and North America in the eighteenth century) and the Great Awakenings of the 1730s and 1740s'. See; E. Olson Roger, 'Tensions in Evangelical Theology', *Dialog: A Journal of Theology,* 42/1 (2003), 76-85. For more information about evangelicals see ; Spector, *Evangelicals and Israel: The Story of American Christian Zionism*. Also, Eitan. Bar-Yosef, *The Holy Land in English Culture 1799-1917: Palestine and the Question of Orientalism / Eitan Bar-Yosef* (Oxford: : Clarendon Press, 2005).

[910] Although the 'Christian Zionist' notion is a recent one, becoming widespread during the 1990s, it appeared in the early 1900s in the US. There have been many attempts to describe and define the Christian Zionists, but the common denominator among them, which is adopted in this study, indicates those Christians who support the Israeli state – its existence, policies and expansion in Palestine – mainly for religious reasons. For more information see; Spector, *Evangelicals and Israel: The Story of American Christian Zionism*. p. 3-4

[911] Ibid. p.viii. For further information see Chafets, *A Match Made in Heaven: American Jews, Christian Zionists, and One Man's Exploration of the Weird and Wonderful Judeo-Evangelical Alliance*. p. 24-30

[912] For more information on this debate see; Eitan Bar-YosefBar-Yosef, *The Holy Land in English Culture 1799-1917 : Palestine and the Question of Orientalism / Eitan Bar-Yosef*. p. 182-195

evangelicals cite for their backing of the state of Israel.[913]

Hence, this change in Christian perceptions of Jews has formed the basis on which cooperation between the two parties has observed its prominence and distinctiveness.

Whereas the idea was not one of their concerns in the era of religious reform during the 16th century, Jewish societies believed for the next three hundred years or so that building such a state is solely God's responsibility and not the task of a human being, contrary to the internalized and widespread convention amongst Evangelicals, who did not mind whether this mission is God-given or inspired by humans. During this period, no significant Jewish political movement developed, and no interesting common political aspirations were adopted until Theodor Herzl, with other Jewish leaders and associations, formed the Zionist movement which was equipped with a clear ideological and political background based on the need to build a Jewish state.[914] At the first Zionist Conference, organized by Herzl and held in Basel in 1897, it was eventually agreed that this state was to be in Palestine as the best holy place in which such a state could be built, and around which the scattered Jewish populations could gather.[915] At the same time, these moves were addressed to others who were religiously motivated and interested in the idea, including evangelical Christians who ably influenced, *inter alia*, generations of UK politicians and at the beginning of the 20th century were able to inspire famous historical figures, such as Arthur Balfour and Lloyd George, to lead various moves that favoured Jews.[916]

For historical, socio-political issues and other causes within Jewish society itself or in the broader social environment, tangible expressions of hostility and hatred towards the Jewish people, prevailed in many parts of Europe and beyond.[917] Significantly, this caused much suffering, to the extent that Jews were sometimes deprived of citizenship rights or even exiled, simply because they were Jews;[918] a phenomenon known as 'anti-Semitism' that was

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[913] Spector, *Evangelicals and Israel: The Story of American Christian Zionism*. p.23

[914] About the Jewish state in Herzl's thinking, see Herzl, *The Jewish State*.

[915] About the importance of Palestine in Herzl's perception see; Ibid. p.13

[916] Eitan Bar-Yosef, *The Holy Land in English Culture 1799-1917 : Palestine and the Question of Orientalism / Eitan Bar-Yosef*. p.182-268. For further information see; Guedalla, *Napoleon and Palestine / with a Foreward by Israel Zangwill and an Afterword by David Lloyd George*. p. 48-52. Also, Jonathan Rynhold and Jonathan Spyer, 'British Policy in the Arab-Israeli Arena 1973-2004', *British Journal of Middle Eastern Studies*, 34/2 (2007), 137-55.

[917] David Ernest Duke, *Jewish Supremacism: My Awakening to the Jewish Question* (USA: Free Speech Press, 2003). p. 164

[918] Jews were expelled from England in 1291, from France in 1394, and Spain in 1492. See; Brustein, *Roots of Hate: Anti-Semitism in Europe before the Holocaust*. p. 55

directly linked to what was known as 'the Jewish question'.[919] The instantiations of such a phenomenon emerged in Europe and had a disproportionate effect on the entire Jewish presence from one place to another. In fact, these problems in Europe and elsewhere were among the factors that later shaped the establishment of Zionism; they constituted the background against which relations between Europe and Jewish society had to be dramatically strengthened especially from the second part of the 20th century and beyond.

Utilizing the Powerful and the Capable Actor

Based on religious considerations and racial discrimination, the above-mentioned phenomenon rooted in Europe and substantially empowered the Zionist leaders, enabling them to function effectively and launch many manoeuvres aimed at achieving their objectives in Palestine; this implied the business of solving the Jewish question once and for all.[920] This could only have been done through a cooperative relationship with the UK, the largest colonialist state at the time, by convincing it to assist Zionism to realize the dream of the Jewish people in Palestine.[921] For many reasons related to the international context during the period of WWI,[922] the necessity of ending what were known as the Eastern and Jewish questions,[923] and the evangelical thinking that significantly affected decision makers,[924] the demands of the leaders of Zionism were scrutinised by the UK, which accordingly decided to address them.[925]

It is believed that an amalgam of these various factors has socio-politically and geo-strategically pooled together, producing a socially-constructed result which was represented in the building of a homeland for the Jews in Palestine. Here, it was planned, the Jews would end their suffering on the one hand and the colonial powers would fulfil their aspirations

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[919] The term 'anti-Semitism' refers to a phenomenon which indicates historical aggressive behaviour against Jews and which significantly took place amongst Christians in the West. The notion of 'the Jewish Question' is a related idea that was emphasized in light of the anti-Semitism in Europe and indicated the necessity of putting an end to Jewish suffering by establishing a national Jewish state. See; Herzl, *The Jewish State*. p.9-15

[920] Ibid. p. 5. It is also worth noting that this manoeuvre was initially secular and was performed by secular Jewish leaders who were no longer interested in waiting for 'God's essential interference' to gather the Jewish people in Jerusalem.

[921] See the debate in; UK Government, 'Memorandum ', (CAB 23/4/1 03 September 1917). Also, Ibid.

[922] See; UK, 'Palestine and the Balfour Declaration', (The National Archive January 1923). See also UK, 'Telegram from General Barter.', (26 November 1917).

[923] 'The Eastern Question' was the term given to the delicate situation that the Ottoman Empire was experiencing in its declining years until its full defeat by the allied nations in WW1.

[924] Bar-Yosef, *The Holy Land in English Culture 1799-1917 : Palestine and the Question of Orientalism / Eitan Bar-Yosef*. p.182-84. Also Rynhold and Spyer, 'British Policy in the Arab-Israeli Arena 1973-2004',

[925] Milner, 'The Zionist Movement.', (August 1917).

towards the legacy of the Ottoman Empire on the other. This, along with other policies that were pursued within the European societies themselves, required the Jewish state to come into existence to the advantage of those colonialists; a responsibility which the UK seized by issuing the Balfour Declaration in 1917 and subsequently approving this statement through the Mandate that was adopted by the Council of the League of Nations in 1922.[926]

The historical international resolution confirming the Balfour Declaration, as represented in the Mandate, substantially reflected a very strong signal towards Jewish society and its status in the world, and meant that a new era of conflict in the ME was dramatically engendered. Thus, assisted by international society, as represented by the League of Nations and in particular by the UK as the main power responsible for the occupation of Palestine in WW1,[927] the Zionist leaders succeeded in turning the dreams and aspirations of both Zionism and the pro-Zionist evangelical Christians on the one hand and the colonial states on the other, into a reality. But this reality was in Palestine and was undertaken at the expense of another people; a matter that complicated the Jewish problem by transferring it from being initially a simple humanitarian task on the part of the Europeans to becoming ultimately a colonial interest with a religious embellishment. This articulated juncture in the Middle East would mark the path of politics for those countries, particularly in the West, interested in the region's IR since the evolution of the Arab-Israeli conflict. Consequently, historical development in Palestine has become the basis on which all other policies and compromises or settlements have come to be dependent.

In a nutshell, the Jewish question which had been problematic for many European states during the 19th and 20th centuries eventually found its concluding stage in Palestine in 1948, and thus, from the West's perspective, it is no longer permitted to turn the clock back anymore.[928] After the conflict had reached its peak during WWII between those who, based on a historical anti-Jewish image in Europe that mixed religious and socio-economic considerations and perceived the Jews as a bloc of evil, and those who associated Jews with the Christian image of a biblical people affected by the ERRM and the Age of Enlightenment, the historical conflict ended with the triumph of the latter groups who had successfully shaped a new collective Judeo-Christian bond.

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[926] League of Nations, 'The Palestine Mandate of the League of Nations',
[927] UK, 'Palestine', (Memorandum; CAB 24/282/4 UK, 18 January 1939).
[928] See; Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.

Accordingly, it can be concluded that the historical clash of interests between the Jews and their original countries in Europe was dealt with over time within three frames, of which the first was through attempts of making a historical reconciliation with the Jews in Europe that benefited from the new political and ideological values that arose as a result of the ERRM in the 16th and 17th centuries, and the Age of Enlightenment that accompanied the French Revolution in the 18th and 19th centuries.[929] Within the framework of this reconciliation in Europe, the common values between Christians and Jews, based on ideological background, religious roots, and geopolitical interests, have been restored.[930] Hence, the freedom and values generated enabled Jews to function politically and ideologically in Europe. The second frame was through creating a Jewish state in Palestine in which the political aspirations of the Zionists would find expression; this particular duty was the responsibility of the colonialist states, namely Britain and France which had paved the way in the ME during the colonial age. In this context, political relationships between Jewish leaders and politicians from European countries were considerably strengthened until the objective of both sides had been achieved in 1948.

The third way has been seen in the continuing European commitment[931] to the existence and security of Israel after being established in a hostile environment. Given the unanticipated massacres against the Jews in Germany and other European states during WWII and the episode of genocide commonly known as the Holocaust, a general collective reaction evolved in Europe, consisting of a mixture of sympathy and feeling of guilt towards the Jewish people. Significantly, the generating of such feelings pushed European states other than the UK and France to stand alongside Israel during its formation, as a way of compensating for Europe's role, both direct and indirect, in the Holocaust.[932] The strength of this commitment towards the security and existence of the nascent Jewish state has differed proportionally from one state to another, according to the part played in the catastrophe which took place in Europe, and to the influence of the Jews or their evangelical supporters in an individual

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[929] According to Eitan Bar-Yosef, during that period in Europe, the spread of thinking about the restoration of the Jews to Palestine eventually paved the way to the Britain's policies in WWI in favour of Jews. See; Bar-Yosef, *The Holy Land in English Culture 1799-1917 : Palestine and the Question of Orientalism / Eitan Bar-Yosef*.

[930] Thomas Klestil talked about the historical burden that Europe feels as a result of its treatment of Jews and the rediscovered common areas between the latter and the Europeans. See; Thomas Klestil, 'Address of Austrian President Dr. Thomas Klestil to the Knesset', (Jerusalem: Israeli Knesset, November 15, 1994).

[931] The concept of 'commitment' adopted in this thesis follows the definition articulated by Robert Cooper, to the effect that "commitment to a country means having to live with whatever policies the government of the day there is pursuing". See; Robert Cooper, *The Breaking of Nations; Order and Chaos in the Twenty-First Century* (Great Britain: Atlantic Books, 2011). p. 118

[932] This belief was confirmed by most of the EU respondents who were interviewed by the author.

country. The latter, according to Ilan Pappe, are still to some extent affecting the DM process amongst EU politicians,[933] a matter that has given the Israeli state a kind of immunity in international society and made it feel that it is a great and powerful state. The collective European commitment, in addition to other internally-implemented policies in Europe regarding the fate of the Jews, reflects the extent to which the coalition with the new state is strong and based on a solid cognitive background that was basically constituted following WWII.

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[933] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).

Section Two: European Leaders' Perceptions of Israel Indestructible Promise

> Europe and Israel need each other. Neither is conceivable without close ties between the two. Europe is fully aware of this interdependence, and wishes to give it a constructive role, recognising its importance in full. The only way to overcome the many remaining difficulties is to walk towards the future together.[934]
>
> Josep Borrell Fontelles

Collective perceptions of Israel in the discourse of the EU leaders over time reflect the nature of commitment the EU has made to Israel's security and existence. Significantly, their religiously-based discourse and historically-affected speeches, directed on various occasions to the Israelis, are very telling in terms of why the EU deals with parties of the conflict in a differing manner. However, the Hamas's discourse is the reverse of all attitudes which adopted by the EU leaders towards this conflict. Significantly, Hamas preserves its discourse by claiming that all of Palestine, from the Jordan River to the Mediterranean Sea, is wholly the property of the Palestinians and the entire Islamic '*umma*', as confirmed in its documents.[935] It is therefore undoubtedly the case that those Europeans whose policy in the region is based on the reality of Israel being in existence – and having to remain in existence within secure and peaceful boundaries – would stand beside Israel if and when its security is jeopardized.

In the following analysis this profound relationship and the way European leaders have perceived Israel will be underlined in order to understand the extent to which the relationship is socially constructed, produced and reproduced, and how it might be subjected to another reproductive process under certain circumstances in the future. This is to affirm that the EU's position on Hamas is part of the 'game of axes',[936] where the EU has aligned itself decisively with one party against the other in the Hamas-Israel context. Thus, figuring out the incentives behind the EU's policy towards Hamas will be clearly understood in light of the documents under analysis. Unearthing this reality by the end of the analysis, will enable the inconsistency of the EUFP towards Hamas to be interpreted unequivocally.

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[934] Josep Borrell Fontelles, 'Speech by the President of the European Parliament Josep Borrell Fontelles to the Knesset ', (Jerusalem: Israeli Knesset 27 June 2005).

[935] Hamas, 'Hamas Charter'. Art.11

[936] This term in the Palestinian-Israeli context, refers to the EU-US-Israeli axis versus the Arab and Islamic one; both axes have different points of view regarding Palestine and the origins of the conflict around it.

Israel as a Stronghold of European and Western Jewish-Christian Culture

As confirmed by many of the EU officials interviewed in Brussels, the European vision of Israel is based on a diversity of factors, including history, culture, Holocaust, economy and politics.[937] However, cultural influence is the most solid and expressive of these features, and identifying Israel as part of European heritage and culture, and thereby one of the organic elements of Western civilization, is indeed a significant determinant of the relationship between the EU and Israel. To a large extent, the mixture of religion and geopolitical realities in a geostrategic region fosters the foundations on which the policies of actors are usually built. Hence, being proud of such a Jewish-Christian culture, the EU reveals the depth of such European perceptions of Israel and the extent to which the EU is ready to stand for Israel when there is a need for action.

However, when the major driving actors of the EU and marginal actors alike, as well as high-ranking figures in the EU voice their beliefs about the meaning of Israel and the role it represents in the ME, then there is no alternative but to recognize this cultural background which casts its shadow on the allied partners: the EU and Israel.

> We respect Israel's heritage, which is part of our own European heritage. Whenever we deride our Jewish heritage in Europe, we deride our own values. Whenever we show contempt for Israel's contribution to our own civilisation, we show contempt for a valuable aspect of our own identity. Whenever we deny the incalculable suffering of the Jewish people, we deny the basis of our own dignity. Ladies and gentlemen, our continent's Judaeo-Christian heritage has been decisive in shaping the shared values of today's European Union.[938]

In this way Hans-Gert Pöttering, President of the European Parliament (PEP), expressed European convictions about the reality of Israel. In his speech to members of the Israeli Knesset a year after Hamas's electoral victory in the the PA elections in 2006 and just two months before it seized the Gaza Strip in 2007, he stated that Israel is part of "our own European heritage", "our own civilization", "our own identity", "our own dignity", and "our continent's Judaeo-Christian heritage" which have combined to shape the shared values of the EU and Israel, and had brought them close to each other as partners.

This understanding is compatible with other discourses delivered by major European leaders at different times. Indeed, Lord Plumb of Coleshill, a previous PEP, had stressed the same meanings in the same surroundings, 18 years earlier, confirming European awareness of the

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[937] Author's Interviews, 'Marc Otte, Margrete Auken, Paul Murphy, Kyriacos Triantaphyllides and Others', (Brussels, June- October 2012).
[938] Pöttering, 'Speech by the President of the European Parliament Hans-Gert Pöttering to the Knesset'.

nature of the relationship between the EU and Israel that has been constructed on profound cultural, historical and political associations, building a strong alliance between the two parties.[939] Furthermore, speaking on behalf of the EC, he believed that Israel's "sacrifices" and the continuity of its sacrificing are "to preserve our ideals". Despite the fact that Hamas had made its appearance just a year before this speech, and that the First Intifada (1987-1993) was at its peak, mentioning the continuous Israeli "sacrifices" in this context on behalf of European "ideals" was eye-catching; and a matter that could be interpreted in light of the cultural bond between the EU and Israel.

By the same token, the PEP Jerzy Buzek (2009), when directing his speech to the Israelis, reminded them that they are "an extension of Europe, its part". Interestingly, his speech, delivered four years after Pöttering's discourse, also highlighted the same meanings, confirming the Euro-Israeli relationship as belonging to the same "community of values" and "common heritage" as well as the same kind of democracies and ideals which, according to him, should when combined "be at the core of our common action".[940] These agreed definitions by the three EP presidents of the relationship between the EU and Israel over time, inevitably stemmed from a common cultural background which obviously indicated the nature of the perception of Israel held by the EU.

The Italian Prime Minister Silvio Berlusconi considered that "our" faith, Jewish-Christian culture, and the European-Jewish "perceptions of people and history" are the bases which steer both parties towards democracy and defend liberty for all people of the world. In Berlusconi's opinion, as delivered in a speech to the Knesset in 2010, this uniting of culture and values had transformed Israel "into a fort of European and Western culture…as one based on the superiority and greatness of the man made in God's image". Thus Israel, based on such cultural values, is a true democratic state which deserved to celebrate its construction on values of freedom and justice, a matter that puts it on the same level as European democracies. Therefore, these uniting values, guided by a Jewish-Christian heritage, have given the Israeli state the meaning of being a fortress for the West in its conflict with contradictory 'others' in the East, as well as making it a symbol of this option of freedom and democracy beyond the boundaries of the West.[941] It is worth noting that Berlusconi's rhetoric

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[939] Plumb of Coleshill, 'Speech in the Knesset by the President of the European Parliament Lord Plumb of Coleshill ', (Jerusalem: Israeli Knesset 10 January 1989).

[940] Jerzy Buzek, 'Address by the President of the European Parliament Jerzy Buzek to the Knesset Plenum ', (Jerusalem: Israeli Knesset, 15 June 2011).

[941] Berlusconi, 'Speech by the Prime Minister of Italy Silvio Berlusconi to the Knesset '.

followed a severe war on Gaza in which Israel was condemned for perpetrating war crimes by targeting civilians and using excessive and disproportionate force in its confrontation with Hamas in 2008/9.[942]

In their interpretation of the strong relationship with Israel, a member of the EEAS who preferred not to be named,[943] as well as Christian Berger[944] from the EEAS and Ivo Vajgl from the EP[945] all considered that this kind of common and rooted culture is undoubtedly one of the major determinants behind the EU's support for the Jewish state.

This was also perceived by José María Aznar, Spanish Prime Minister between 1996 and 2004, and Jerzy Buzek, both of whom regarded Israel as "a fundamental part of the West", and its history as part of European history. Both considered too, that the Western, European and Israeli destinies are inseparably intertwined.[946] After reminding the West of its Judeo-Christian roots, Aznar emphasized that "if the Jewish element of those roots is upturned and Israel is lost, then we are lost too".[947] Significantly, Aznar, as a well-known politician, understood that the culturally and geopolitically constructed European-Israeli identity is something that belongs to the same civilization. Thus, defending Jewish identity and existence and giving it strong shoulder is one of the requirements of defending oneself. The problem of the European side is that it does not make much effort when Judaeo-Christian values are challenged by others who target the Israeli state which, in his view, belongs to the Western front.[948] As he repeatedly asserted, the West must never forget the meaning and the message behind the existence of Israel; "Israel is on our side in the battle against Islamism and terror". In such a conflict between what he perceived as Judaeo-Christian values and Islamists and terrorism, Israel has constituted a bulwark of Western culture and civilization.[949] In such a context, Hamas – believed by the EU to be one of the "terrorist organisations" that has challenged Israel and the whole colonial project behind it – represented *per se* an element of the 'other' front that encountered the very core of the West's Jewish-Christian identity.

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[942] See, Human Rights Council, 'Human Rights in Palestine and Other Occupied Arab Territories; Report of the United Nations Fact Finding Mission on the Gaza Conflict '.

[943] Author's Interview, 'Anonymous/ Counselor at EEAS', (Brussels, 1st June 2012).

[944] Author's Interview, 'Anonymous/EEAS/ME', (Brussels, 11 June 2012).

[945] Author's Interview, 'Ivo Vajgl', (Brussels, 28 June 2012).

[946] José María Aznar, 'If Israel Goes Down, We All Go Down ', *The Times* 18-6-2010 2010. & Buzek, 'Address by the President of the European Parliament Jerzy Buzek to the Knesset Plenum '.

[947] Aznar, 'If Israel Goes Down, We All Go Down '.

[948] Jose Maria Aznar, 'Speech to World Jewish Congress in Jerusalem', *Defending Israel to Defend Ourselves* (Friends of Israel Initiative, 1-9-2010).

[949] Jose Maria Aznar et al., 'Israel: A Normal Country', *Statement* (Friends of Israel Initiative, 8-7-2010).

These European feelings of 'belonging' towards Israel were then widened to encompass the whole of mankind. Surprisingly, as viewed by Nicolas Sarkozy, 'Israel' did not mean simply "the fulfilment of a promise at the heart of Jewish identity", or "a return to Jewish roots", but was a modern, forward-thinking and nationally- and universally-geared state that belongs to all humankind. In his words,

> the State of Israel doesn't belong only to its citizens; it also belongs to all those in the world who see themselves as heirs to Judaism. The State of Israel also belongs to all mankind, because the values underpinning it are universal values. These are values of justice and law.[950]

Thus, from his standpoint Israel is a valuable and unique entity that should be embraced by all who consider themselves as heirs or successors to Judaism, which in the first place means Christians. But according to Sarkozy, this is not enough, and in fact Israel belongs to all people in the world due to its symbolic reality, built on the underpinning principles of integrity and morals. This means that the protection of Israel is the responsibility not only of the heirs of Judaism, but also of the entire world. Strikingly, Israel, the 'occupation state' according to international law, which has been responsible for the Palestinian refugee phenomenon and much devastation on the ground since 1948, is from such a perspective a universal entity because of its founding values and significant culture. Evoking these meanings in such a context and in such a way reflects the extent to which the European leaders are prepared to take a neutral mediatory role in the Arab-Israeli conflict or, in particular, a balanced relationship with Hamas whose ideology is built on contrary convictions.

This highly-motivated cultural discourse has significantly highlighted certain aspects of the background of the EU's policy regarding Israel's security and status. In fact, Pöttering, Lord Plumb, Buzek, Berlusconi, Aznar and Sarkozy are merely examples of important European leaders who have spoken to, or about, Israel, influenced by a common recognized culture and heritage. In his interpretation of such EU-Israel relations, an unnamed EEAS member claimed that by being, in effect, Christian Europe's older brothers, the Jews have received such support from the EU.[951] While this produced and re-produced identity was alive in certain areas in Europe long before the establishment of Israel, it has been collectively characterized and recognized in the continent after WWII. This identity has played a momentous role in designing over time the EU's relations with Hamas and across the ME.

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[950] Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.
[951] Author's Interview, 'Anonymous/ Counselor at EEAS', (Brussels, 1st June 2012).

However, due to the sensitivity of the responses to which it might give rise it is not political speech made on a daily basis.

Unbreakable Friendship with Israel No Place for Hamas

The socially, culturally and politically-constructed friendship between the two actors that is under investigation is a solid mixture of physical and non-physical visions that has drastically overcome a diversity of rigorous historical circumstances through which this relationship has collectively seen the light. This was clearly expressed in a remarkable talk delivered in 2008 to the Israeli Knesset by Angela Merkel, the Federal Chancellor of Germany, to the effect that,

> There is absolutely no doubt in my mind that Israel and Germany, Israel and Europe are such partners – linked by shared values, linked by shared challenges and linked by shared interests. For stability, economic prosperity, security and peace, both in Europe and in this region, are in our mutual interest.[952]

According to Merkel, "the power of trust", inspired by shared values of democracy, freedom and respect for human rights, has strengthened the bond between Germany and Israel.[953] Therefore, this power that has dominated these incrementally-constructed relations after WWII has had significant roots in the rediscovered system of common values and culture to which both states perceived themselves as belonging. Based on this reality, it could be assumed that a strong and unbreakable friendship has arisen between Israel and the EU in general. Essentially this value-based friendship has been the most important factor in determining the extent to which the EU might have the intention and the fortitude to escalate confrontation with Israel in times of disagreement over specific Israeli policies. Therefore, policies and behaviour that would have required immediate action had they come from other states, had in Israel's case been tolerated.

Thus, for example, the Israeli war against Gaza in 2008/09 with its severe outcomes did not provoke a parallel reaction from the EU side, which merely launched some condemnatory statements without living up to its commitments to human rights and peace as the supposed driving EU principles. Moreover, it is known that the EU has opposed the construction of Israeli settlements in the West Bank considering these to be an obstacle that substantially hindered the peace process and contradicted negotiations between the Israelis and

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[952] Merkel, 'Speech by Federal Chancellor Angela Merkel to the Knesset in Jerusalem '.
[953] See; Ibid.

Palestinians. But despite this position, the EU actually did very little, failing to exert any obvious pressure to get Israel back on the peace negotiation track or to stop its policy. This lack of reaction from the EU side cannot, in fact, be understood without scrutinizing the high appreciation the EU holds for Israel and the depth of the friendly relations between them.

Indeed, the description and the interpretation of such a friendship can easily be found in the rare speeches by EU leaders and other documents that have mainly been presented in the Knesset. These documents are used to setting Israel apart and portraying it as a unique state in terms of its democratic system in the ME and its significant cultural identity. Generally speaking, the amiable connections between these friends are principally rooted in "our common culture and fate", as stated by Berlusconi,[954] or based on historical, cultural and religious factors, in addition to material interests, as confirmed by the PEP Baron Crespo in 1991.[955] From Sarkozy's standpoint, the deep friendship that has prevailed between the French people and Israel since its establishment has arisen not only from the Jewish community in France and the Francophone Jews in Israel but also from something deeper.

> [it is] due too to the way in which Judaism has influenced, nourished and enriched French culture, to the inspiration the founding fathers of Israel drew from the values of French universalism. It's due to the close economic, scientific, cultural, technical and intellectual ties, and also quite simply the human ties which our two peoples naturally forged so well together.[956]

In the same vein, Laszlo Solyom, President of the Republic of Hungary, confirmed this strong history and the significant contribution of the Jews to Hungary's economy and culture, especially in the latter half of the 19th century. This contribution to Hungary's heritage alongside Israel's own cutural, political and economic achievements had, he claimed, made the Hungarian friendship with Israel of such significance.[957]

This was similarly addressed by Aleksander Kwasniewski, President of the Republic of Poland (2000) who ascribed the strong bonds between the Poles and Israel to the fact that "Poland and Israel are heirs to one of the most unusual chapters of human history".[958] According to Kwasniewski, the ancient links that had brought Jews and Poles together in building the bright pages of Polish-Jewish history were very vital because of their outcomes,

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[954] Berlusconi, 'Speech by the Prime Minister of Italy Silvio Berlusconi to the Knesset '.

[955] Enrico Baron Crespo, 'Speech in the Knesset by the President of the European Parliament Enrico Baron Crespo', (Jerusalem: Israeli Knesset 29 October 1991).

[956] Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.

[957] Solyom, 'Speech by President of the Republic of Hungary Laszlo Solyom to the Plenary Session of the Knesset '.

[958] Kwasniewski, 'Speech by Aleksander Kwasniewski, President of the Republic of Poland to the Knesset'.

and represented "outstanding works of culture, a climate of tolerance unprecedented in that part of Europe and a great spiritual and religious development". While standing at the Knesset podium he reminded the Israelis of the common socio-cultural issues between the two states, pointing out that Poland for eight hundred years had been "an important Jewish centre of science, Talmud studies and seminaries, arts, poetry, literature, philosophy and theology", and that Poland and Israel must strengthen their relationship universally and cooperate against any evil that tries to ruin their lives.[959] Similarly, Jerzy Buzek, as a former Prime Minister of Poland before later becoming PEP, expressed his pride in the role played by the Polish people in building the homeland of the Jews.[960]

With regard to the UK discourse, the former Prime Minister Gordon Brown, standing on the same platform in 2008, in an obvious gesture to the historical role the British had played in the region between 1917 and 1948, was also very clear in expressing his feelings of pride that British Jews and the British people, in general, had distinguished themselves in helping to achieve the Jewish endeavour in Palestine. As Brown commented, this matter had established, described, and underpinned facts "based on shared values of liberty, democracy and justice", on which an "unbreakable" friendly partnership with Israel has been strengthened.[961]

Due to these common normative values between the EU and Israel, the latter, according to the PEP Josep Fontelles, has become "a natural partner" to the former.[962] By scrutinizing the rest of the speeches of other EU leaders, this common ground, presented in relation to the EU-Israeli friendship, has been focused on repeatedly, in an attempt to justify the way in which Europeans have internalized the Israeli state since WWII.

Religiously-Affected European Discourse: Historically-Based Narrative
Not only has the EU discourse internalised Israel within the values system that has dominated Europe, but it has also revealed its adoption of the religiously-articulated Israeli narrative about the meaning of Israel and its interpretation of historically-perceived Jewish rights in Palestine. Significantly, Israel as 'a homeland' for the Jews, which had been fragmented more than 2000 years ago before being re-established in 1948, is a narrative that the EU leaders have openly supported, adopting the Zionist point of view with regard to the historical right

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[959] Ibid.
[960] Buzek, 'Address by the President of the European Parliament Jerzy Buzek to the Knesset Plenum '.
[961] Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.
[962] Fontelles, 'Speech by the President of the European Parliament Josep Borrell Fontelles to the Knesset '.

of the Jews in Palestine.[963] Therefore, the "homeland of the Jewish people",[964] the "ancient dream",[965] the lost homeland",[966] the "land of Israel",[967] and the "promised land"[968] are all normal descriptive conceptions of Palestine that are to be found in the speeches of EU leaders, in their attempts to show their support for Israel.

Thus these leaders, based on historical perspective, believe that the Jewish people who were displaced from Palestine "after the destruction of the temple"[969] and persecuted over time, have the right to return to the land of which they have been collectively deprived. According to the PEP Enrico Baron Crespo, Israel is "the prime example of a people scattered by force and violence and seeking to re-establish itself in the lost homeland".[970] To put it more simply, the distressing history of Jews in the world at large is the justification cited for their claimed right to rebuild their country in the so-called "lost homeland".

These meanings are, in fact, the same as those of Gordon Brown, a former UK Prime Minster who celebrated the sixtieth anniversary of "the achievement of 1948" in the Israeli Knesset. He considered that, by the re-establishment of Israel, "the centuries of exile (were) ended, the age-long dream (was) realised, the ancient promise redeemed", and declared that the Jewish people has returned home, following the steps of their ancestors in the fields and coastlines of Israel.[971] Those ancestors, according to Brown were those who have inspired the new Jewish generation who "gorgeously" proved to the world that "the human spirit is, indeed, indomitable", forgetting, that this so-called "achievement" in 1948 had caused displacement for millions of Palestinians who have been homeless ever since. Furthermore, Brown regarded this so-called achievement as an embodiment of justice after two thousand years of struggling and battling against oppression and exile, and cited the testimony of the prophet Amos – that "justice would roll down like a river and righteousness like an ever-flowing

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[963] See; Fontaine, 'Address by Nicole Fontaine, President of the European Parliament to the Knesset '.

[964] Buzek, 'Address by the President of the European Parliament Jerzy Buzek to the Knesset Plenum '. & Plumb, 'Speech in the Knesset by the President of the European Parliament Lord Plumb of Coleshill '. Ibid. Rau, 'Speech in the Knesset by the President of Germany, Johannes Rau '. Ibid. Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.

[965] Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.

[966] Crespo, 'Speech in the Knesset by the President of the European Parliament Enrico Baron Crespo'.

[967] Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.

[968] Plumb, 'Speech in the Knesset by the President of the European Parliament Lord Plumb of Coleshill ', Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.and Pöttering, 'Speech by the President of the European Parliament Hans-Gert Pöttering to the Knesset'.

[969] Fontaine, 'Address by Nicole Fontaine, President of the European Parliament to the Knesset '.

[970] Crespo, 'Speech in the Knesset by the President of the European Parliament Enrico Baron Crespo'.

[971] Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.

stream".[972] Thus, given the historical suffering of the Jews over time, Israel, from Brown's standpoint, represents one of the instantiations of the justice which it has deserved; a matter that also reflects his ignorance of the Palestinian suffering arising out of this so-called 'justice'.

Regardless of the meanings of such expressions, which consider history and religion rather than evidence, and official documents as the bases of international legitimacy, EU leaders have constantly persisted in emphasising this perception of Israel. Therefore, it is probably not surprising that the structure of the language used by Europeans in this context appears historically and religiously-motivated, and that the ideological background of their discourse is thus clearly felt – a matter that emphasizes the extent to which the common intellectual base for both actors overlaps and intertwines. As is commonly known, approving any claims about property anywhere according to international law is based on legal arguments and formal documents rather than on historical claims or fabrications. In light of historical logic, even if such claims were genuine in their historical context, if legalizing historical Jewish claims was right, dozens of other claims around the world would have to be legalized as well; a matter which would open the door to endless claims around the world to be seen by all; let alone that this would have to be done by enforcing the law, rather than taking place in a colonial context as happened exceptionally with the Jews.

The inconsistency in this unprecedented European policy is represented in the adoption of normative agendas as objectives of the EU's foreign policy, while allowing history and religion to reflect their commitment and support for one party rather than the other. This, in fact, continues to be the case, even though the other party has all the evidence confirming ownership of the land, and even though dozens of international resolutions have been issued by the UN General Assembly and the Security Council as well approving and confirming the rights of Palestinians in their country, including, for example, Nos. 181, 194, 224, 338 and others.

The politicians in the EU's decision-making circles, like the major leaders in Europe, have clearly expressed the extent to which they have been moved and affected by the literature and religion of the Jewish founders. As well as more recent EU officials, one could also cite Lloyd George, Prime Minster of the UK during WWI who was driven, *inter alia*, by religious motivation towards the notion of a Jewish homeland in Palestine. He is a startling example of

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[972] Ibid.

an individual who justified Britain's pro-Jewish policy from 1917 onwards; when lecturing on the role that the UK played in favour of Jews, he described himself as a Zionist who had absorbed Jewish culture and heritage and become "imbued with the history" of the Jewish race.[973]

By the same token, the former PEP Hans-Gert Pöttering cited the Jewish heritage and thought several times in his speech to the Knesset, confirming his belief in the statement attributed to Israel's first Prime Minister, David Ben-Gurion ("Anyone who does not believe in miracles is not a realist"), and internalizing the reality of Israel as a miracle that should continue the ways of its ancestors in manufacturing miracles.[974] In the same vein, the President of Germany, Johannes Rau stated the same conclusion when referring to President Weizman's memorable talk about the Jewish generations who had passed "from the Pillar of Fire of the Exodus from Egypt to the pillars of smoke from the Shoah [sic]", and when recalling Weizman's tribute to the land of Abraham that had again influenced the recent history by bringing forth the state of Israel.[975]

Similarly, Sarkozy perceived the Jewish state as a collective identity consisting of collective values stemming from "the universal values" that "the prophets of Israel" had taught all mankind. Interestingly, he mentioned Herzl's statement to the effect that "if you will it, it will

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[973] Guedalla, *Napoleon and Palestine / with a Foreward by Israel Zangwill and an Afterword by David Lloyd George*.p. 48-50. In justifying his policy and the Balfour Declaration that he had given to the Jews, Lloyd George wrote in the afterword to this publication, "I had been trained even more in Hebrew history than in the history of our own country. I was brought up in a school where I was taught far more about the history of the Jews than about the history of my own land. I could tell you all the kings of Israel. But I doubt whether I could have named half a dozen of the kings of England, and not more of the kings of Wales. So that you must remember that was very largely the basis of our teaching. On five days a week in the day school, and on Sunday in our Sunday schools, we were thoroughly versed in the history of the Hebrews. We used to recite great passages from prophets and the Psalms. We were thoroughly imbued with the history of your race in the days of this old world, influencing, moulding, fashioning human character, inspiring and sustaining human motive, for not only Jews, but Gentiles as well. We absorbed it and made it part of the best in the Gentile character. So that, therefore, when the question was put to us, we were not like Napoleon, who had never been in a Sunday school and had probably read very little of that literature. We had all that in our minds, so that the appeal came to sympathetic and educated – and, on that question, intelligent – hearts But I am not going to pretend there was not a certain element of interest in it too.
I personally owe a deep debt of gratitude to Dr. Weizmann, and I am his proselyte…I felt a deep debt of gratitude and so did all the Allies, to the brilliant scientific genius of Dr. Weizmann. When we talked to him and asked him, 'what can we do for you in the way of any honour?' he replied; 'All I care for is an opportunity to do something for my people.' It was worth anything to us in honour, or in coin of the realm, but all he asked for was to be allowed to present his case for the restoration of his people to the old country which they had made famous throughout the world. Acetone converted me to Zionism. So the case was put before us, and when the war cabinet began to consider the case for the declaration, it was quite unanimously in favour. I think we secured the co-operation of the French at the time, and the famous Balfour Declaration was made…. I am glad of it both on the ground of sympathy and interest." For the rest of the comment, see Ibid.p. 48-50
[974] Pöttering, 'Speech by the President of the European Parliament Hans-Gert Pöttering to the Knesset'.
[975] Rau, 'Speech in the Knesset by the President of Germany, Johannes Rau '.

be no legend", as if to say that the reestablishment of Israel is no longer a legend but has become a reality based on the teachings of the prophets; a matter that was considered a Jewish triumph over the obstacles of history. Sarkozy repeated what he considered as fact, i.e., that the Israeli state is an instantiation of the words of the Bible which the world's Jews have not stopped teaching their children. This was to the effect that: "The Lord said to Moses, 'Go up into this mountain of Ab'arim, and see the land which I have given to the people of Israel [sic]".[976]

In addition to this significant discourse, Sarkozy felt the secret of Israel's success during the past 60 years lay in "the prophetic spirit" of Judaism which he considered as "responsible" for the progress and justice that Israel represents. In his view, Judaism is more than just a traditional religion; it is a way of life and a way of thinking "moulded by a singular relationship to biblical texts", as well as a religion for the survival and advantages of which Israel's founders had fought.[977] He also perceived Israel as a preface for the coming era of pleasure and happiness that would predominate in Jerusalem and has been long awaited. As he declared, in the words of the Prophet Isaiah: "I will rejoice in Jerusalem, and be glad in my people; no more shall be heard in it the sound of weeping and the cry of distress. They shall build houses and inhabit them; they shall plant vineyards and eat their fruit. They shall not labour in vain, or bear children for calamity."[978]

This religiously-raised perception of Israel in the eyes of certain important European figures shows how deeply Israel has been positioned in the European mentality, and how it has become part of the beliefs and thoughts of the decision-makers. It is obvious that politics is not the only determinant of such a perception of Israel; it is first and foremost the cultural factor, affected by both history and religion. Significantly, when dealing with Hamas, this matter forms an understanding that accepts neither the political nor the cultural-religious aspects of such a relationship, and that even fights the very core of the logic of the European leaders.

When the Holocaust has Melted Differences towards Jews
The EU's FP towards Hamas and other similar entities, which contradict the existence of Israel or policies in the ME and elsewhere, has been affected by events that occurred in Europe in the first half of the 20th century. According to Phil Bennion, a member of the

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[976] Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.
[977] Ibid.
[978] Ibid.

delegation for relations with the PLC, Israel came about as a result of war in Europe, which is why Europe has had a historical responsibility towards Israel.[979] Indeed, genocide perpetrated against Jews during WWII has left a significant imprint on European mentalities, and has since affected their decision-making process towards the Jewish community, Israel, and even Israel's enemies thereafter. Evidently, those who usually plan foreign policies towards other actors find themselves affected by various factors pertaining to interests, culture, environment, religion and psychology.

In the case of the EU and Israel after the Holocaust, the latter has been sympathetically internalized into the mentality of the former after having been culturally, religiously and politically adopted, and this has had a significant effect on the EU's decision-making process, not only towards Hamas but also towards the Arab-Israeli conflict in general. In the opinion of MEP Jarmo Oikarinen, "there is a common sense in Europe that a truly heroic event happened against the Jewish people in World War Two, and this sense has played a significant role in emphasizing the idea that the Israeli state should live in peace."[980] Therefore, it has become extremely difficult to read European policy in this area without taking into consideration the way European leaders have become captive to and dependant on events that dominated a specific period of time in Europe. In Sarkozy's view,

> no one can think of Israel without thinking of the history of the Jewish people. No one can think of Israel without remembering the pogroms, sealed trains and gas chambers. No one can think of Israel without thinking of Captain Dreyfus before his judges, of the women who died of typhus in the death camps and all the martyred children remembered at Yad Vashem.[981]

These massacres left Europe experiencing guilt for the fate that befell the Jewish people in WWII. Significantly, European leaders over time believe that the perpetrators who took their personal guilt at killing Jews to their graves, left consequences to subsequent generations to bear the moral responsibility for these crimes; a matter that, as Johannes Rau, a previous German President, remarked, lies in the Judaeo-Christian faiths and in common traditions.[982] From the perspective of Austrian President Thomas Klestil, in order not to fall again into evil, the Austrian people must look at the past or what he called the "historical truth", i.e., the Holocaust, when Austrian Jews were suppressed, humiliated and forced to leave Austria, their native land. He expressed his people's regret at not having done very much for both "the

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[979]Author's Interview, 'Phil Bennion', (Brussels, 28 June 2012).
[980] Author's Interview, 'Jarmo Oikarinen', (Brussels 11 September 2012).
[981] Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.
[982] Rau, 'Speech in the Knesset by the President of Germany, Johannes Rau '.

survivors of the Jewish tragedy and the victims' descendants." According to Klestil, this essential remembrance is so vital for helping Austrians to understand how to behave and to build trust with the people of Israel in the present and the future alike, considering that no apology could ever "expunge the agony of the Holocaust".[983]

In fact, the Holocaust has become part of the historical awareness of the Europeans which, in Brown's words, "everyone who loves humanity needs to know". Interestingly, he recalled the Israeli Knesset member Tommy Lapid, who proclaimed that his "whole life [was] a response to the Holocaust", to assert the significance of genocide in steering him towards Israel. He considered that after a journey of two thousand years of suppression and exile, the suffering of the Jews has found its end and a solution in Palestine, in which Jews have reconstructed their freedom and their home. Jewish people, in his view, had endured all pogroms and the horror of the Holocaust because they had no home and this plight should not be allowed to re-emerge in contemporary history.[984] Thus, Brown perceived Israel not only as a solution for the Holocaust in the 20th century but also a solution for the millennium Jewish history of banishment and suppression.

In the same vein, Sarkozy asserted that as a home of the Jewish people, Israel is "a response to the injustice" from which they had suffered over time. Due to these considerations, according to the speaker, Israel is now the only place in the world where Jewish people can wear whatever they want, live whereever they want, where "Jews won't be prohibited from taking buses, going to the cinema and theatre, holding certain jobs or going to Jews-only restaurants, shops and schools."[985] In these statements Sarkozy referred to history when, because of racial considerations, Jews had been obliged to wear, work, study, and live in particular places that had been prescribed and/or set aside for them in Europe at that particular time.

For most European leaders the genocide that occurred in Europe against Jews has meant that the world after the Holocaust ought not to be the same as it was before. According to the President of the Republic of Poland, "the experience of the Holocaust will never disappear from our memory".[986] Hence, anti-semitism, in addition to other racial phenomena that have accompanied the Jews for a long time, is no longer allowed to appear in the world due to its

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[983] Klestil, 'Address of Austrian President Dr. Thomas Klestil to the Knesset'.
[984] Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.
[985] Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.
[986] Kwasniewski, 'Speech by Aleksander Kwasniewski, President of the Republic of Poland to the Knesset'.

fatal results which were seen in the 20th century, or in Merkel's words "because otherwise all of us – German society as a whole, the European community, the democratic foundations of our countries – would be placed in jeopardy."[987] Substantially, the uniqueness of the Holocaust has thus caused a European leader to believe, for instance, that those who deny and doubt the event or underestimate its importance are not from the civilized nations and must not be accepted in their framework.

The tragedy perpetrated against Jews meant, according to Buzek, one of the PEPs, that it was not only a European tragedy but was also "a stain on the history of humankind". Speaking sympathetically, he suggested that the personal and collective duty of Europeans and the entire world is to make sure that nothing similar to the Holocaust could be perpetrated in the future; therefore, the fight against anti-semitism should be launched by the whole world, not just by Europeans.[988] This was also confirmed by Fontaine, another PEP who felt the majority of Europeans have acknowledged collective responsibility for the crime that was committed against humankind through targeting Jews, and that this fact must be kept alive in the memories of generations to come, as a collective European duty. Hence, he believed the relations that tend to bring Israel and the EU together are significantly marked by memories of WWII and the Holocaust.[989] In this regard, however, history means responsibility towards victims; this, as Johannes Rau, President of Germany maintained, begins with education in schools about the security of the Jewish community and how it is no longer the object of another persecution.[990]

In addition, responsibility for the Holocaust has become part of the European identity which has to be protected against being forgotten or revived.[991] This responsibility, as the major European representatives have repeatedly confirmed over time, must remain part of the European present, and must be "passed on from one generation to the next". According to Horst Köhler, when addressing the Israelis "we must understand, all of us, that the victims of the Shoah have given us a mandate: never to allow genocide to happen again", and that this responsibility has also to be held by new generations because of their role in shaping the

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[987] Merkel, 'Speech by Federal Chancellor Angela Merkel to the Knesset in Jerusalem '.

[988] Buzek, 'Address by the President of the European Parliament Jerzy Buzek to the Knesset Plenum '. Also, Kwasniewski, 'Speech by Aleksander Kwasniewski, President of the Republic of Poland to the Knesset'.

[989] Fontaine, 'Address by Nicole Fontaine, President of the European Parliament to the Knesset '.

[990] Rau, 'Speech in the Knesset by the President of Germany, Johannes Rau '.

[991] See; Horst Köhler, 'Speech by Federal President of Germany Horst Köhler to the Knesset in Jerusalem, ' (Jerusalem: Knesset, 2nd February 2005).

future.[992] These endeavours have been proved by actions and deeds, rather than talks and words. As Merkel put it, "memories must constantly be recalled; thoughts must become words, and words deeds",[993] and these deeds are explicitly felt when the Germans stand with Israel. For that reason, as Horst mentioned, it is a fundamental principle of EU policy that Israel can enjoy an assured status while living within internationally-recognized borders, and in a state "free of fear and terror".[994] Anything that might affect this "incontrovertible" principle would not be tolerated in the political arena.

Significantly, the psychological element has constituted a major factor in steering Europe's policies towards Israel. Given collective European guilt about the Holocaust, the inherited feelings of shame and responsibility have played a significant role in determining Europe's foreign policy towards Israel and its enemies alike. The following quotations from speeches given in the Knesset by various European leaders describe how the Holocaust has affected them psychologically.

> The Shoah fills us Germans with shame. I bow my head before the victims. I bow before the survivors and before all those who helped them so they could survive.[995]

> I am speaking on behalf of that Croatia which bows with respect and reverence to the memory of the millions of the victims of the Holocaust….I am using every opportunity to ask for forgiveness from all those who were harmed by the Croats at any time.[996]

> Neither of our parliaments can forget - nor should we forget - the dark side of the history of our respective peoples.[997]

> We in Europe will never forget the terrible, unparalleled suffering inflicted on the Jewish people. That this suffering was inflicted in the name of my own people, the German people, fills me with shame. [998]

> We Germans, too, will be accompanied for all time to come by the images of the murders for which Germans bear responsibility.[999]

> When I bowed my head at Yad Vashem today morning, it was in respect for the

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[992] Ibid.

[993] Merkel, 'Speech by Federal Chancellor Angela Merkel to the Knesset in Jerusalem '.

[994] Köhler, 'Speech by Federal President of Germany Horst Köhler to the Knesset in Jerusalem, '.

[995] Merkel, 'Speech by Federal Chancellor Angela Merkel to the Knesset in Jerusalem '.

[996] Stjepan Mesic, 'Speech of the President of the Republic of Croatia, Stjepan Mesic, in the Knesset', (Jerusalem: Israeli Knesset, 31 October 2001).

[997] Coleshill, 'Speech in the Knesset by the President of the European Parliament Lord Plumb of Coleshill '.

[998] Pöttering, 'Speech by the President of the European Parliament Hans-Gert Pöttering to the Knesset'.

[999] Rau, 'Speech in the Knesset by the President of Germany, Johannes Rau '.

victims and with responsibility for the future.[1000]

It is obvious that the feelings described demonstrate the very strong link between such feelings and responsibility for the future of Jews, which the Europeans believe will prevent such a crime or any of its potential precursors from ever happening again. In this regard, the leaders claim, it is crucial that knowledge of the history of this genocide is "handed down from one generation to the next",[1001] in order to protect people's memories and stop them from forgetting the responsibilities left to them by their long-deceased forefathers. In other words, it is essential for new generations of European citizens to protect the future of Israel (which represents Jews throughout the world), from threats to its existence, as a kind of compensation for the guilt incurred by their ancestors.[1002] Consequently, Europe "with its 2000 years of history, bears the burden of the moral debt towards the Jewish people", whose suffering has been caused by Europeans throughout history including the Holocaust period.[1003] This moral debt reflects the quality of support that the Europeans grant to Israel in its conflict with Hamas, whose ideology is built on ideas, thoughts and behaviours which threaten Israel by endangering its security and the stability of the entire Middle East.

Admiration of the Jewish People and their State 'Thanks to their mere Existence'

Another psychological factor affecting the European leaders in their attitude towards Israel, as can be deduced from their speeches, is the admiration for the Israel's achievements, progress, and symbolic status. The major EU leaders believe that the uniqueness of the Israeli state is represented in its existence out of nothingness, its people's capacity to gather there from around the world, its ability to build an exceptional example of democracy in the ME, and its contribution to the world's scientific accomplishments. The way it has withstood the threat of terrorism, wars and hostility has also attracted the attention of these European leaders, who regard Israel's triumph in the face of such threats as an unprecedented success of which the Israelis deserve to be proud. As Gordon Brown said in his speech to the Knesset

> For two thousand years, you lifted the artistic and cultural life and the scientific and political development of every continent…. From draining the swamps in the 20th Century to pioneering electric cars in the 21st, your history of ingenuity is a lesson in the boundless capacity of mind and spirit…. No nation has achieved so much in so short a period of time. And to have accomplished all this

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[1000] Solyom, 'Speech by President of the Republic of Hungary Laszlo Solyom to the Plenary Session of the Knesset '.

[1001] Rau, 'Speech in the Knesset by the President of Germany, Johannes Rau '.

[1002] See; Ibid.

[1003] Fontaine, 'Address by Nicole Fontaine, President of the European Parliament to the Knesset '.

> in the face of the war, the terror, the violence, the threats, the intimidation, and the insecurity is truly monumental…. No one people in history has more global reach and global connections for good than the Jewish people. You are truly global citizens.[1004]

The most important thing in his speech was his talk about the terrorism, violence and wars which Israel had faced. His speech implied that Israel has been the victim of others who targeted it without any justification. Explicitly he considered that Israel had faced terrorism and violence waged by others, without paying any attention to the narratives of the Palestinians and Arabs who were the genuine victims of the Jewish state throughout the conflict. In addition, Brown's perception of Israel as the world's super-national state which had scored achievements in all areas, reflected a specific psychological feeling, widespread amongst Europeans in general, towards the uniqueness and superiority of Israel. In his opinion, the Jewish nation has left significant imprints everywhere, attributing discoveries and inventions in the world to the contribution of the creative Jewish mind and spirit.

With regard to the role of the Jews in "draining the swamps" in the 20th century, he tacitly indicated the status of Palestine when the Jews started to emigrate there from Europe at the beginning of the 20th century, adopting the Israeli narrative about Palestine as if the latter had been nothing but swamps before the Jewish immigration, and as if these swamps had been dealt with only by Jews who were able to overcome these challenges. Similarly, Horst Köhler, President of the Federal Republic of Germany, perceived Israel as the state which "has made deserts fertile",[1005] portraying Palestine as a desert before the Jewish presence on its land, and ignoring the fact that Palestine had been populated by hundreds of thousands of people before Jews, assisted by the British Mandate, had started to arrive in 1917.

In addition to Israel's achievements, European leaders claim that its democratic traditions, ideals and sacrifices attract the most admiration among Europeans for the Jewish state. According to PEP Lord Plumb of Coleshill, along with its "amazing achievements" Israel is regarded as the guardian of the ideals of the West on whose behalf Israel has continued to make sacrifices; this matter has won the esteem of the European Community.[1006] From Berlusconi's standpoint, Israel is "the noblest example of democracy and freedom in the Middle East, an exemplar that has its roots deep in the Bible and in the Zionist ideal." His admiration for Israel was even more obvious when he considered that the Israeli Parliament

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[1004] Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.
[1005] Köhler, 'Speech by Federal President of Germany Horst Köhler to the Knesset in Jerusalem, '.
[1006] Coleshill, 'Speech in the Knesset by the President of the European Parliament Lord Plumb of Coleshill '.

"represents the most miraculous event of the twentieth century" since it included citizens from the whole world, with a huge diversity of linguistic and regional backgrounds, exercising both democracy and freedom under the same roof.[1007] Given such advantages, and its competitive specificity, Israel had been opposed by the fanatics of the world; nevertheless, this must not affect Israel's march towards progress. Directing his speech to the Israelis, Berlusconi declared that,

> Precisely for that – due to that – your country is unbearable in the eyes of world fanatics. For these reasons, liberals all across the world look at your country as a positive, painful and proud symbol of a great history that tells a story of love, freedom, justice and battle against evil. We liberated and liberal people of the world – we thank you for your mere existence.[1008]

These words reflect the extent to which Israel is placed inside the mentality of those who have sustained it in the international society. When Berlusconi states that Israel represents the fight against evil and, at the same time, liberal and liberated people owe to its mere existence, this means that the deeply sympathetic admiration for Israel has penetrated the minds and spirits of western leaders to such an extent that the Europeans perceive Israel as a unique state, whose enemies are not allowed to impede, or affect its security and stability. However, to Berlusconi's mind, its enemies are merely evil, while the victims of the Arab-Israeli conflict, who are armed with well-known international resolutions and clearly contradict this categorization, have not been taken into consideration at all in his ideologically-inspired speech.

In light of Berlusconi's logic, the opinions of Hungary's President Solyom, in which he stated that "Israel had to wage wars to survive", can be easily understood. As far as Israel's hostile counterpart is a kind of evil, its wars against this evil will become comprehensible even if they are initiated by Israel itself, because Israel basically counters the forces which are uncivilised.[1009] According to this perception, and contrary to the way the EU has treated Iran over its nuclear programme, Israel has been tolerated over the same issue because it is perceived as 'a rational democratic state' which does not use such weapons outside the context of 'self-defence'.[1010] Hence, based on the way it is perceived as a symbol of idealism and uniqueness, Israel has occupied a significant place in the psychology of the European decision makers.

[1007]   Berlusconi, 'Speech by the Prime Minister of Italy Silvio Berlusconi to the Knesset '.
[1008]   Ibid.
[1009]   Solyom, 'Speech by President of the Republic of Hungary Laszlo Solyom to the Plenary Session of the Knesset '.
[1010]   Noah Bassil, 'Israel: International Rogue?', *AQ: Australian Quarterly,* 81/1 (2009), 10-39.

From Sarkozy's perspective, Jewish people are not only a subject of suffering over history but also "a treasure of knowledge and humanity". Surprisingly, the world's wisdom without the Prophets of Israel would be unimaginable, while all areas of science, philosophy and culture could hardly be conceived of without Jewish scholars, thinkers and entrepreneurial contributors. In his opinion, Israel is a prodigious and special state in which Jewish people, who are characterized by liveliness, multiplicity and openness of thought, have come together from everywhere "to give the best of themselves for the good of all". Furthermore, the Jewish people, under the pressure of the hatred and violence that they have faced, have survived and have never relinquished the universal values and teachings that "the Prophets of Israel have taught all mankind".[1011]

However, the French President forgot to mention how these remarkable characteristics of the Jewish people could be applied to the case of Israel's injustice against Palestinians and their land, and to question whether Israel's policies are compatible with such universal values. Hence, psychologically his admiration for Israel as a state that guarantees political equality for all its citizens as well as cultural, religious and educational freedom was deeply internalized to the extent that made him forget the other people living on the same land.[1012] It seemed as if Sarkozy had never heard of the suffering of the Palestinians living under Israeli authority inside Israel, or under occupation in the West Bank and Gaza Strip whose human rights were (and are) systematically violated by this model and supposedly democratic state. However, one of the most interesting aspects of Sarkozy's speech was his description of Israel as Guardian of the Holy Places of all religions, whereas it is commonly known how aggressively Israel behaves towards these places, and how, under various pretexts, it has taken numerous measures that adversely affect their status and the ability of the Palestinians to access them. As an example of Israeli attacks and violations against religious places, as well as other areas in Palestine, the following chart shows a sample of the abuses that occurred in December 2012, from this the extent of the religious and humanitarian situation throughout the period of the Occupation can be clearly imagined (Figure 11).

Generally speaking, without scrutinizing the original problem that is the Israeli Occupation of the Palestinian Territories, and regardless of the above-mentioned facts, Israel is perceived as a progressive, developed country that defends its people from those representing evil forces who want to wipe Israel from the international map. If Israel presented an exemplar of

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[1011] Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.
[1012] Ibid.

universal ideals and democratic values, whereas, of course, Hamas does not, then the continuing Hamas discourse concerning Israel's existence and the ownership of mandatory Palestine would become the opposite view of European perceptions of Israel; a matter that has caused the clash of perceptions between the EU and Hamas and has significantly affected the EUFP towards the movement.

Figure 4: Israeli Attacks on Palestinians in December 2012[1013]
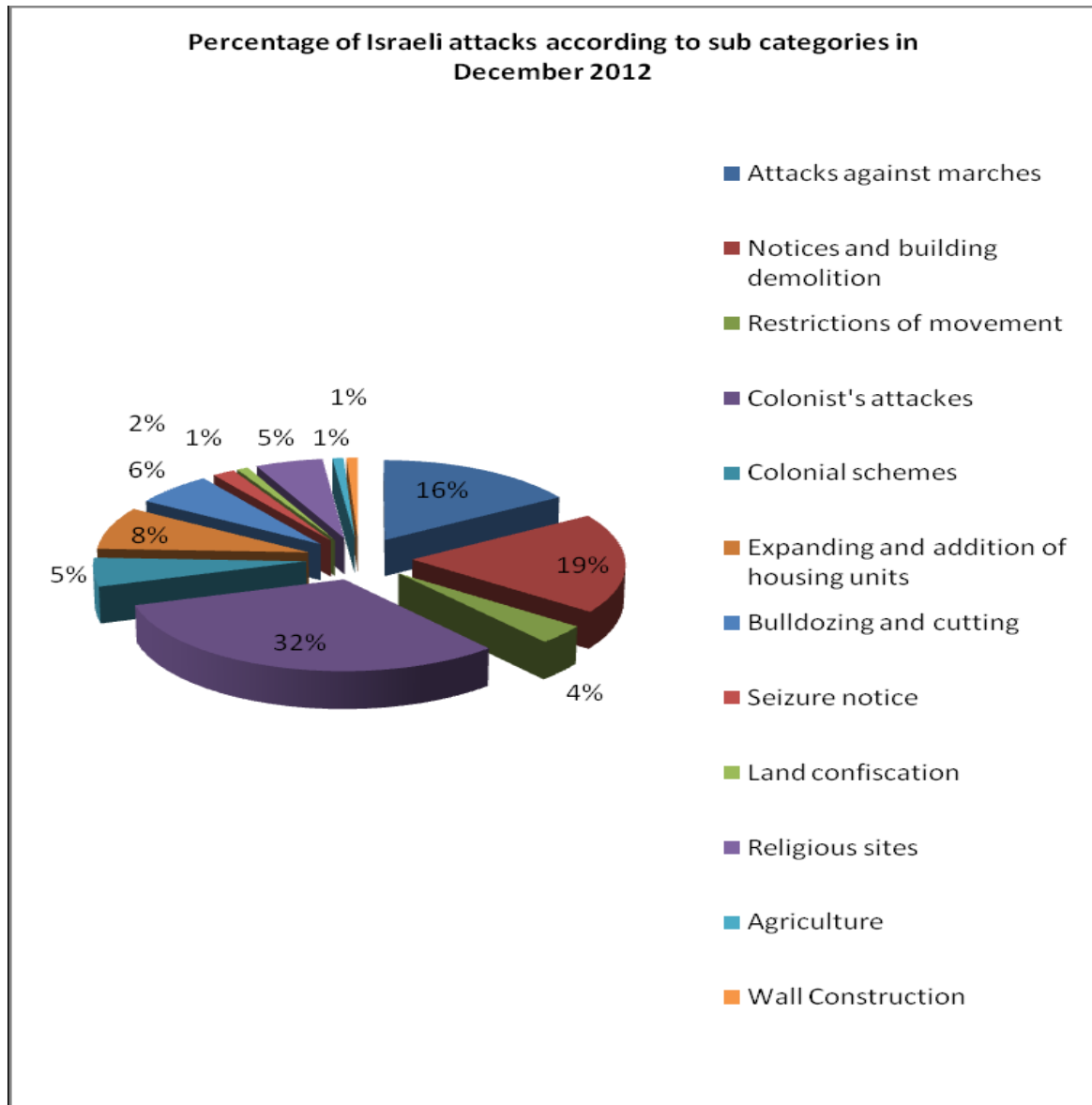
[1013] PA, 'Israeli Attacks Related to Colonies and Annexation Wall in the West Bank ', in Information Center Concerning Colonization and Annexation Wall Affairs (ed.), (Monthly Informative Media Bulletin, December 2012).

Firmly-Determined Commitment towards Israel's Safety and Existence

The inherited deep psychological feelings mentioned above, composed of cultural and religious incentives, and fostered by strong interests-based friendship, an intense feeling of collective responsibility for the Holocaust, and a profound appreciation of Israel, have generated a very robust commitment towards Israel's security and stability. Significantly, this commitment has become embodied in the EU's stance against organizations like Hamas which form an existential contradiction to Israel, and that are considered part of the hostile alliance against the West in the ME, especially those that have employed violence against Israel and challenged Western strategies in the region. Indeed, the solid Western commitment to Israel, regardless of Israeli policies, is very obvious in the differing types of political and socio-economic cooperation, as well as the diplomatic cover or protection that the Western countries, and the EU in particular, have provided to Israel within international institutions. The EU's commitment towards Israel has thus presented it with a significant shield that protects it from being sanctioned or penalized despite its proven track record in human rights abuses and its intractability in the peace process, along with its continuing policy of fabricating 'facts on the ground'. This EU immunization of Israel, in addition to all aspects of the distinguished cooperation conventions launched with it, is indicative of the fruits and instantiations of the West's commitment to securing Israel within the international society, on the basis of "the burden of the moral debt towards the Jewish people" that Europe has borne for 2000 years of its history.[1014]

It could be argued that the leaders of the European member states have competed with each other on the basis of who gives and offers stronger pledges to Israel's security and status. Interestingly, Germany, because of its specific role in the Holocaust, appears the dominant player amongst those who take responsibility for the security of the Jewish people and the security and safety of Israel. According to Angela Merkel, the uniqueness of the German commitment towards Israel is based on its feeling of being responsible for the past and the Holocaust, as well as for the common values between both states, in addition to "abiding solidarity for one another". Thus, as Merkel asserted, because of these feelings Germany "will never forsake Israel but will remain a true friend and partner" who would defend Israel everywhere when deeds are called for, especially if threats came from those who deny Israel's right to exist and who, by targeting it, continue to threaten the values not just of Israel

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[1014] Fontaine, 'Address by Nicole Fontaine, President of the European Parliament to the Knesset '. See also about the same feeling; Klestil, 'Address of Austrian President Dr. Thomas Klestil to the Knesset'.

but of the entire world.[1015] From Horst Köhler's standpoint, based on its commitments, Germany will always stand beside Israel and its people by actions rather than words, until it become fully secured within internationally-recognised borders, free of fears and threats.[1016]

By the same token, Britain confirmed the same obligations by promising to stand beside Israel whenever its peace, stability and existence are threatened. This promise, based on shared values and interests, would be activated whenever needed. Gordon Brown expressly warned those who "mistakenly and outrageously call for the end of Israel" that Britain would never allow this to happen, and that Israel would always find the UK beside it as a true and trusted friend "in difficult times as well as in good times". He also put Israel in the line of developed and civilized countries, and its opponents in the opposite category, confirming Britain's principled stand with the civilized and developed nations, should conflict erupt against the enemies of humanity.

However, the categorization of Israel and its enemies in such a way points to the extent to which Britain is ready to act against those organizations which represent the other side in the conflict, for example like Hamas and Iran. In this context, as Brown emphasized, the British position on Hamas and even Iran could be understood when he promised, in cooperation with the US and the EU partners, to continue British attempts to stop the Iranian nuclear programme; it has been doing this over time, sending a clear message to those accustomed to threatening Israel's security and existence.[1017] This English commitment has met other English perceptions found in a 1965 memorandum, which asserted that the UK and the rest of the West should keep close ties with the US since, if necessary, it would be the US that would ultimately have to rescue Israel. The memorandum confirmed America's commitment to dedicating its military capabilities and fleets to Israel in the event of it being attacked, a familiar situation to both Israel and Arab governments.[1018] Therefore, the promise from Balfour to the Prime Ministers of the 1960s and contemporary figures alike, is the same in its solidarity and firmness.

Significantly, the Italian Prime Minister Silvio Berlusconi and other European leaders had been very clear in their pledges to Israel, exceeding even some of the traditional European positions on the Arab-Israeli conflict. From an Italian perspective, in the words of Berlusconi,

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[1015] Merkel, 'Speech by Federal Chancellor Angela Merkel to the Knesset in Jerusalem '.
[1016] Köhler, 'Speech by Federal President of Germany Horst Köhler to the Knesset in Jerusalem, '.
[1017] Brown, 'Speech by the UK Prime Minister Gordon Brown to the Knesset, '.
[1018] UK, 'Memorandum About the Middle East'.

> the safety of Israel within its borders and its right to exist as a Jewish state, for us Italians is an ethical choice and a moral order…. Our friendship towards Israel is honest, open and mutual. It is not merely verbal closeness, it is not merely diplomacy – it is the yearning of the soul, a friendship that comes from within.[1019]

Regarding Italy's commitment to Israel, as Berlusconi claimed, it exceeded diplomacy or politics and is related to the soul that links both states, and to the common bonds between them; thus the Prime Minister's pledges were genuine, not just words. Interestingly, Berlusconi promised on behalf of his people to struggle alongside Israel to prevent any awakening of anti-Semitism in Europe or the world, and not to stand by when Israel's security and safety are threatened, considering that all UN member states must take every potential procedure against those who seriously menace Israel.[1020] Against this background it appears highly significant that the basis of the Italian promise and the pledges of other European leaders are built, as could be concluded from their speeches, on the prominence of the Holocaust on the one hand, and the fact of legitimizing the Jewish state since 1948 on the other.[1021]

The French and their leaders are no less enthusiastic towards Israel than others, in terms of their commitment to its security and existence, as Sarkozy showed in his speech. He explained how France had basically stood beside Israel from the moment of its birth, promising to keep this position always alive whenever Israel's "security and existence are threatened". As a friend of Israel, France has vowed to stand "shoulder to shoulder" with the Jewish state; a feeling that, on his country's behalf, had always been felt in his "heart of hearts", nor would he ever "compromise on this". Similar to other European leaders, he warned that "those who call scandalously for Israel's destruction" would always find France countering them and blocking their way. Interestingly, he reassured Israel several times that it should know that "she is not alone", and in his address to the Israeli Knesset members, reiterated, "let me tell you, from the bottom of my heart that France won't abandon you'.[1022] Thus, the French leadership's commitment to Israel encompasses its determination to stand for Israel against those organizations or states that might jeopardize Israeli security; a matter which means that Hamas is one of those entities under the spotlight.

[1019] Berlusconi, 'Speech by the Prime Minister of Italy Silvio Berlusconi to the Knesset '.
[1020] Ibid.
[1021] See; Ibid.
[1022] Sarkozy, 'Speech by the President of France Nicolas Sarkozy to the Knesset '.

The same kind of commitment has also come from the PEPs, who have repeatedly shown their rigorous stand with Israel. Interestingly, Israel's 'security' and 'existence' are also the magic words around which most of the European leaders have gathered. In fact, this European position is not subject to any compromise when threatened by any entity. Hans-Gert Pöttering noted, as PEP, that whenever this reality is targetted by enemies of Israel either by speeches or actions, the EU "without hesitation", will be on the Israeli side.[1023] In the words of PEP Josep Borrell Fontelles, speaking to the Israelis; "I wish to reaffirm Europe's commitment to, and its special responsibility for, the existence of Israel as a Jewish state and as a democracy living in security and peace with its neighbours", as it had done throughout the history of Israel.[1024] According to Johannes Rau, former German President, this commitment is to the universal values represented and shared by the EU with Israel,[1025] and was a matter which "Europe will not allow to be called into question".[1026] Consequently, according to Berlusconi, given what Israel represents, it has to be in the EU as a full member state,[1027] and as Laszlo Solyom asserted in his speech to the Knesset, because it is a European country that has values in which the common roots of Europe's values are also located. [1028]

However, in addition to the foregoing, the EU's commitment towards Israel stems from the reality that Israel has formed a unique solution to the historic Jewish question that had imposed substantial pressure on the European states over time. While this matter should have been solved by the Europeans, it was done but in a way that failed to exclude the centuries of accumulated aversion between the two parties. According to Ilan Pappe, given this truth, Israel could undoubtedly be considered a part of the Western world but would have been geographically separate from Europe. Therefore, in terms of culture, political system, and development, it is "part of the family" but the EU does not wish to admit this because, in the eyes of the West, Israel is the 'thug state' that can do things the West does not want to do, as noted by Pappe.[1029]

Although this logic has become less important since the Second Gulf War in 2003 and after the Arab Spring in 2011, the significance of Israel as a reliable Western military base in the

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[1023] Pöttering, 'Speech by the President of the European Parliament Hans-Gert Pöttering to the Knesset'.

[1024] Fontelles, 'Speech by the President of the European Parliament Josep Borrell Fontelles to the Knesset '.

[1025] Buzek, 'Address by the President of the European Parliament Jerzy Buzek to the Knesset Plenum '.

[1026] Rau, 'Speech in the Knesset by the President of Germany, Johannes Rau '.

[1027] Berlusconi, 'Speech by the Prime Minister of Italy Silvio Berlusconi to the Knesset '.

[1028] Solyom, 'Speech by President of the Republic of Hungary Laszlo Solyom to the Plenary Session of the Knesset '.

[1029] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).

ME and a spearhead in any unexpected confrontation between the West and the volatile Islamic East, is still influencing the EUDM process, and thereby the commitment to Israel. In Ahmed Yousef's words, "Israel [is] still, and will remain, serving as an unsinkable aircraft carrier and strategic stockpile for the West including the EU that will be found ready when a need arises that calls for an action."[1030] Furthermore, the EU's considerable interest in this commitment lies in the fact that any existential threat against Israel which might subsequently affect the existence of the state will thrust the Jewish question back into the laps of the West after it has been socio-politically and geo-strategically solved. In turn this matter might bring the tensions between Christian and Jewish identities back to Europe and threaten the virtues of coexistence, especially in light of the rise of parties on the extremist right. In this regard, the EU's commitment reflects the status of the overlap between materially-based self-interest and culture. With Hamas practically as well as theoretically challenging this philosophy behind the EU's policy in Palestine, means that the EU will not tolerate it and will pursue its strategy with Hamas as far as the latter does not change in accordance with what has been discussed above.

Despite these commitments, Israel has prioritized its relations with the US and has not placed its trust in Europe, while the clue for restoring this lost trust, from the Israeli perspective, is represented in the EU's effectiveness in the fight against terrorism.[1031] In the eyes of the Israelis the EC/EU became suspect in the aftermath of the oil crisis in 1973 because of the path it subsequently pursued in solving the problem. Significantly, the EU's understanding of the reality of the existence of the Palestinian people and their suffering as diaspora refugees, as well as its recognition of the PLO as a legitimate representative leadership for the Palestinians and the subsequent declarations based on the necessity of having a two-state solution for both the Palestinians and the Israelis, greatly angered the Israeli state and put EU policy under fire for a considerable time.[1032] Contrary to the US approach to the Palestinian cause during the 1970s and 1980s, the EC/EU approach was distinguished by being built on profound profits and loss calculations should the conflict persist as a result of neglecting the political and humanitarian rights of the Palestinians. Considerably, the EU perceived the security and stability of Israel and the whole region as a normal outcome of the resolution that is based on the aforementioned rights. Even if this has been proved since the Oslo Agreements in 1993 between the PA and Israel, the European approach to solving the conflict

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[1030] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).
[1031] Geoffrey Kemp, 'Europe's Middle East Challenges',
[1032] Noor, 'European Union and the Middle East: A Historical Analysis',

did over time affect the trust between the EU and Israel.[1033]

However, even after its political initiatives regarding the peace process had proved their accuracy, the EU has been considered pro-Palestinian by Israel, and its engagement in the peace process has not been as politically welcomed as its financial role. To bridge the gap of trust between Israel and the EU, some observers called for the EU to launch constructive public diplomacy moves towards the Israelis to convince them of its reliable role in the peace process,[1034] while others called on the EU to build physical and material trust by enhancing security, economic and defence ties with Israel, including taking a tough position against Hamas and other movements in the ME categorized as terrorists.[1035] Hence, the EU has absorbed the lesson which teaches that the more pressure it applies on those who represent a threat to Israel and the peace process, the more acceptable will be the role that the EU might play in the region.

Conclusion

It could be concluded that the perceptions of Israel among individual European leaders have come together to channel into the European decision-making machine, building a collectively- structured perception of Israel and thereby its adversary, Hamas. After reviewing this sample of the discourse of EU leaders in terms of their perception of Israel and the extent to which it constitutes a significant driving factor of Europe's policies in the ME, the EU's policy towards Hamas has become more understandable. That is to say, whilst the correlation between the EU member states and Israel are culturally, socio-politically and psychologically internalized in the EU's decision-making process, EU policy towards Hamas in this context could be accordingly interpreted.[1036]

Interestingly, Hamas, which is Israel's violent enemy and has been considered a real threat to its security and stability, in addition to the role this 'enemy' has played in affecting the European plans for the ME peace process, has been stigmatized as a terrorist organization and outlawed by the EU. And even though this 'enemy' was democratically elected under the EU's supervision of the Palestinian general elections in 2006, the value of Israel has outweighed other normative EU values, mainly democracy and human rights. Accordingly, it

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[1033] Kemp, 'Europe's Middle East Challenges',
[1034] Muriel Asseburg, 'The EU and the Middle East Conflict: Tackling the Main Obstacle to Euro-Mediterranean Partnership', *Mediterranean Politics,* 8/2 (2003), 174 - 93.
[1035] Kemp, 'Europe's Middle East Challenges', (164-70)
[1036] This vision has been shared by many of the EU interviewees who were approached by the author of this study; for example, Author's Interview, 'Paul Murphy', (Brussels, 21 June 2012).

is obvious that the EU's perception of Israel has crystallized as a built-in factor and a self-determinant of the former's FP towards Hamas and other similar Palestinian factions.

In this context the significance of analyzing such speeches by EU leaders lies in the fact that they embody a representative sample of those leaders who have had the power to draw up and influence overall EU policy. Given that those mentalities, which stand behind the EUDM process towards Hamas, have held such convictions as described above, the common meanings that can be deduced are a significant illustration of the importance of the interaction process amongst these meanings, which can generate specific relations between actors and highlight the nature of the contextual structure that surrounds decision makers.

Indeed, exposing this correlation between the EU and Israel (as collectively and socio-politically constructed after WWII) in such a way, makes tracking the mechanism of the evolution of the relationship and the direction it has taken historically indispensable. Proceeding from this understanding, the actor-structure approach used in this analysis has highlighted the identity-interest controversy, showing this unique case of pairing between the two variables in this context. Significantly, the historical perspective, affected by constructivist-neorealist logic, has been partly used to highlight the effectiveness of such variables in directing the EUFP towards Hamas and its Palestinian counterparts. Consequently, the boycotting policy which is adopted by the EU towards Hamas has principally undergone this self-determining process, a factor that has cast its shadow over all the EU's official behaviours related to the Arab-Israeli conflict.

Chapter Eight: US Influence on the EU regarding Hamas: Analytical Perspective

This chapter aims to illustrate the US influence as an external actor on the EU's policy towards Hamas. The significance of this illustration lies in the necessity of showing the realistically-driven security-allied construction built by these actors, as "consumers of security", as Waltz called them,[1037] or "security maximizers", as coined by others,[1038] under the particular circumstances governing EU-Hamas relations. It also shows the self-interest determinant in this policy as represented in the EU's preference for the US positions regarding Hamas at the expense of its inspiring norms and values. Basically, the chapter is based on in-depth survey of the relationship between the two actors, and the significant effect that the US has had on the EU in the case of Hamas. The goals of both parties, and their economic interdependency, in addition to the socio-cultural correlations between them will underpin the testimonies of EU officials concerning this inquiry. Hence the contextual dimension and the partner-dependant debate in the Middle East as a 'US domain' are discussed, in order to explain the complementary versus contradictory role that the EU plays in such a conflict. The attacks on the US on 11 September 2001 (known popularly as 9/11), and their effects on the EU's security perspective towards Hamas are highlighted. The Quartet's restrictions on the EU's functionality in the Hamas dossier and the perceptions of the EU interviewees of the role that has been played by the US, in this regard, are also discussed. In brief, this chapter shows the extent to which the EU is exposed to the influence of the US in the Hamas question.

Introduction

The US is accused of being the effective factor in the consistency shown by the EU in its negative discourse against Hamas.[1039] However, the perceptions of the EU interviewees who were interviewed for this study about the US influence on the EU in terms of its policy towards the Arab-Israeli conflict, and in particular Hamas, were highly expressive. Most interviewees felt their institution was wrong in the policy it followed with Hamas after the 2006 elections, and most identified one of the main reasons for the continuation of such an unsuitable policy as the influence of the US on the EU. Although they recognized that other

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[1037] Waltz, *Theory of International Politics*. p. 70
[1038] O'Neill, Balsiger, and Vandeveer, 'Actors, Norms, and Impact: Recent International Cooperation Theory and the Influence of the Agent-Structure Debate', p. 135
[1039] This accusation is built on testimonies gathered from the interviewees in this study, in addition to the literature concerning such a claim.

considerations were on the table when the decision was taken against the Hamas-led government, the effect of the US factor was the one which, to varying degrees was most commonly agreed amongst those interviewees.

In fact, while genuine opportunities were offered on many occasions for the EU to revise its boycott-based policy against Hamas, such as the Mecca agreement between Hamas and Fatah in 2007, and the National Unity Government thereafter, outcomes have been always counter to aspirations. While some observers wished that the EU would prioritize its norms and values, others believed that these issues were no longer available once Hamas had leapt to power in the PA in 2006. Considerably, the socio-politically constructed perceptions of the EU officials are based largely on first-hand experience, gathered through a process of observation by which they witnessed the way that the EU manufactured its policies in different areas. Indeed, the mechanism by which Hamas has been dealt with reflects the extent of the complexities that the EU faces while taking decisions in areas where the interests of the US and the EU dramatically overlap; it also shows the degree to which the EU is affected by the hegemony of the US in the International Relations field.

EU and US: Common Ultimate Goals Different Tactics
With the end of the Cold War and the absence of the bi-polar international system during the late 1980s and throughout the 1990s, transatlantic relations had to be institutionalized and mutually formalized. Although the EU had systemized its relations with the US through NATO and the establishment of diplomatic relations since the 1950s,[1040] it asserted the specificity of the US in its perception of its identity and personality in the declaration of the identity of the EC in 1971. As mentioned in the declaration

> The close ties between the United States and Europe of the Nine – we share values and aspirations based on a common heritage – are mutually beneficial and must be preserved. These ties do not conflict with the determination of the Nine to establish themselves as a distinct and original entity. The Nine intend to maintain their constructive dialogue and to develop their co-operation with the United States on the basis of equality and in a spirit of friendship.[1041]

This specificity, which has governed the two actors over time, expressed itself in the 1990s by establishing a framework through which relations between them could be organized and

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[1040] EEAS, 'United States of America', <http://eeas.europa.eu/us/>, accessed 27-04 2013.
[1041] EC, 'Declaration on European Identity'.

developed.[1042] Through this framework, their differences could be uniformly controlled, and ambiguities or misunderstandings could be also removed. The first agreement about this framework was in 1990 and was called the Transatlantic Declaration on EC-US Relations. It defined the associations between them, categorized the challenges facing both, and agreed on the actions for tackling them together. The declaration also suggested biannual summit meetings that would include the President of the US, the President of the EU Council, and the Head of the Commission. In these meetings, internal and external agendas would be addressed, and differences were to be minimised.[1043] Another push in this direction was made in 1995 when a New Transatlantic Agenda (NTA) was agreed that supported the previous declaration, and defined areas of cooperation, responsibilities and internal and external goals.[1044] Thus, by conducting summits annually under the umbrella of the NTA, rather than biannually as had initially been agreed, the EU and the US would come together every year to reassert their commitments towards the challenges they encountered on both sides of the Atlantic and globally.

This framework dictated the various agendas related to major issues while their more nuanced positions were left to specialized committees from the two sides. While following the same line, they do not differ strategically; in terms of their challenges, values and ultimate goals. In fact, the bilateral interests of the US and the EU internationally, and the common values and cultural heritage between them made their relations rise above any marginal contradictions even when matters were related to military interventions beyond their borders. The common issues between them, on which they could construct the basis for a lasting partnership, also enabled the two powers to coordinate their strategic visions, global responsibilities, and a wide range of foreign policy issues that included the MEPP, security and defence, as well as other global matters.[1045] From the perspective of Takis Hadjigeorgiou, a member of the Committee on Foreign Affairs in the EP, the two powers based on the common goals of foreign policies and challenges, coordinate together even on the topic of Hamas, and in this regard might normally influence each other, which does not necessarily mean that one is dependent on the other.[1046]

[1042] EU, 'Review of the Framework for Relations between the European Union and the United States', in European Commission Dg External Relations Unit C1 (ed.), (83-070340 TENDER OJ, 2004/S).
[1043] EC and USA, 'Transatlantic Declaration on EC-US Relations, ' (Brussels and Washington 1990).
[1044] EU and USA, 'The New Transatlantic Agenda', (Madrid, 1995).
[1045] Ibid.
[1046] Author's Interview, 'Takis Hadjigeorgiou', (Brussels, 11 July 2012).

In fact, after the demise of the Soviet Union most of the military actions of the US or the interventions of the EU internationally did not provoke substantial debate between them except, for example, the US invasion of Iraq in 2003.[1047] Even in this case, most EU leaders seemed quite willing to support the US because of its individualism, the inevitability of the situation, and also for the benefits of having the US in the leadership position; a matter that most of the European politicians had already acknowledged.[1048] Under these areas of agreement, *inter alia*, the problem of Hamas,[1049] all nuances were managed, controlled and accordingly treated. Significantly, on some occasions the EU has not agreed on the essence of US policies due to differences between the member states, but as agreed in the NTA, almost the end goals of the US and the EU are the same.[1050] Thus, they have accepted four major objectives for their cooperation:[1051]

1. Promoting peace and stability, democracy and development around the world…secure peace in the ME; and the advancement of human rights.

2. Responding to global challenges: fighting international crime, drug-trafficking and terrorism; addressing the needs of refugees and displaced persons; protecting the environment and combating disease.

3. Contributing to the expansion of world trade and closer economic relations.

4. Building bridges across the Atlantic.

However the approaches of both parties towards achieving these particular points might be different. These assumed differences are possibly due to their dissimilar capabilities, and their imbalanced power relations,[1052] in addition to the bitterly-felt and history-based war experience of the Europeans, and the lack of preparedness of the EU to bear the potential consequences of any US military action in the world, whatever it might be.[1053] Given the

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[1047] For more details about the US and EU military interventions in the world, see: Andrew Moravcsik, 'U.S.-EU Relations: Putting the Bush Years in Perspective', in Federiga Bindi (ed.), *The Foreign Policy of the European Union: Assessing Europe's Role in the World* (Washington DC: Brookings Institution Press, 2010). p. 205

[1048] Philip H. Gordon and Jeremy Shapiro, *Allies at War: America, Europe and the Crisis over Iraq* (McGraw-Hill Professional Publishing, 2004). p.80

[1049] Raymond Ahearn, Kristin Archick, and Paul Belkin, 'U.S.-European Union Relations and the 2007 Summit', *CRS Report for Congress* (RS22645, 2007).p.5

[1050] Helga Haftendorn, 'How Well Can Europe and the United States Cooperate on Non-European Issues?', in Geir Lundestad (ed.), *Just Another Major Crisis? The United States and Europe since 2000* (Oxford: OUP, 2008). p.140

[1051] EU and USA, 'The New Transatlantic Agenda'.

[1052] The U.S. spends more on defence than France, the UK, Germany, Japan, China, Russia, and India combined. It spends five times as much money on military research and development as all of Europe combined. See; Andreas Staab, *The European Union Explained, Second Edition: Institutions, Actors, Global Impact* (USA: Indiana University Press, 2011).p. 152

[1053] Gordon and Shapiro, *Allies at War: America, Europe and the Crisis over Iraq*. p. 85-87

dysfunctional association between the two actors, the US is accustomed to being more realistic than the EU which tends to exhaust all options before resorting to military power, and invests in what is called its 'soft power' before it resorts to confirming its use of the hard power capabilities of NATO or the US. According to Helga Haftendorn, these divergences could be attributed to "power position, historical experience, and cultural tradition".[1054]

Whereas politically the EU has never stood harshly against the individuality of the US in conflicting areas, and thus has never embarrassed the US, even when they have significantly differed, the Hamas dossier is one of those problematic issues for which the EU would neither embarrass the US, which holds a clear position regarding the recognition of Hamas, nor open any dialogue with it before fulfilling the commonly-known 'three principles' of the Quartet.[1055] Hence, this US position which has passed through the Quartet, and has thereby been adopted by the EU, has become a sort of moral commitment between the two parties. However Russia, which has not adhered to the same position, has opened a political dialogue with Hamas. According to the EU, this has now become a matter of principle in which the EU is not about to appear as though it has disregarded the US which, if it did happen, could be considered a diplomatic triumph for Hamas. A study of Hamas and the peace process by Goerzig recorded a testimony from a significant figure in the EU asserting that the EU would not anger the US by recognizing Hamas unilaterally, since "we would just not do that to the US".[1056] Hence, the shadow cast by the US on the EU remains one of the factors which prevent the latter from being consistent with its declared norms and values or from making a necessary revision of its policies in specific areas of conflict.

Interdependent Strategic Partners: Economy as an Instance

Along with cultural correlations, interdependently constructed economic interests are another area of strength that has brought the EU and the US together. These interests cannot be compared with other global partnerships, and as a result they remain the most influential powers in the world,[1057] and their economic associations have formed the strongest interdependent partnership amongst their international counterparts in the global

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[1054] Haftendorn, 'How Well Can Europe and the United States Cooperate on Non-European Issues?'.p. 139

[1055] Goerzig, 'Transforming the Quartet Principles; Hamas and the Peace Process'. p.31

[1056] Ibid. p.31

[1057] Mark Pollack, 'Theorizing the European Union: Realist, Intergovernmentalist and Institutionalist Approaches', (Preliminary draft of a paper to appear as Chapter 1 of The Oxford Handbook of the European Union, edited by Erik Jones, Anand Menon, and Stephen Weatherill, forthcoming 2011., 2010).

economy.[1058] Whereas the top international investors in 44 out of 50 American states are EU companies, and their investments in Texas alone exceed all US investment in Japan,[1059] it is asserted that the US investments in the EU zone only are three times higher than in all of Asia, while the EU's investment in the US is around eight times the amount of EU investment in China and India combined. Significantly, the US and EU economies "account together for about half the entire world GDP and for nearly a third of world trade flows."[1060] Figure 12 illustrates EU foreign direct investment (FDI) flows to Brazil, Russia, India and China (BRICs), compared to the US, as an example of such EU and US economic ties,[1061] while another example (Figure 13) illustrates the US flows to the same countries as compared with the EU.[1062]

It is obvious that the above-shown figures indicate the strong economic correlations between the two transatlantic powers. Hence, this economic interdependency in addition to the cultural and political associations have solidified the EU and the US association and propel for more strategically harmonized functioning in the world.[1063] In spite of differences in the system of beliefs, and the perception of the two actors towards the centrality of the individual at both sides of the Atlantic, their common heritage and feelings of belonging to the same identity are sufficiently wide to contain any contradictions or disagreements might appear between them.[1064] Thus, this partnership between these actors is highly appreciated by both, and thereby their international actions have to be based on collective understandings and agreed common denominator so as to adjust political rhythms in particular geo-strategic domains accordingly.

[1058] For more details see: Daniel S. Hamilton and Joseph P. Quinlan, *The Transatlantic Economy 2011: Annual Survey of Jobs, Trade and Investment between the United States and Europe* (Center for Transatlantic Relations, 2011). p.117-31

[1059] Soeren Kern, 'Why the New Transatlantic Agenda Should, but Won't Be Reformed ', (USA-Transatlantic Dialogue Real Instituto Elcano, 2005).

[1060] EU Commission, 'USA ', *Trade* <http://ec.europa.eu/trade/policy/countries-and-regions/countries/united-states/>, accessed 27-04 2013.

[1061] Hamilton and Quinlan, *The Transatlantic Economy 2011: Annual Survey of Jobs, Trade and Investment between the United States and Europe*. p. 61

[1062] Ibid. p. 124

[1063] European Union Committee, *The EU and the Middle East Peace Process: 26th Report of Session 2006-07*, ed. House Of Lords (1; London: The Stationery Office Limited, 2007). p.33

[1064] For more details see: Haftendorn, 'How Well Can Europe and the United States Cooperate on Non-European Issues?'.p.141-42

**Figure 5: EU Foreign Direct Investments in US Compared to BRIC 2007-9**

EU FDI Outflows
(Billions of Euros)

Legend: 2007, 2008, 2009

United States: 173.8, 149.6, 75.1
Brazil: 14.9, 8.4, 7.6
Russia: 18.2, 26.3, 0.01
China*: 7.2, 4.8, 5.9
India: 4.6, 3.3, 3.1

Source: Eurostat
* China does not include Hong Kong
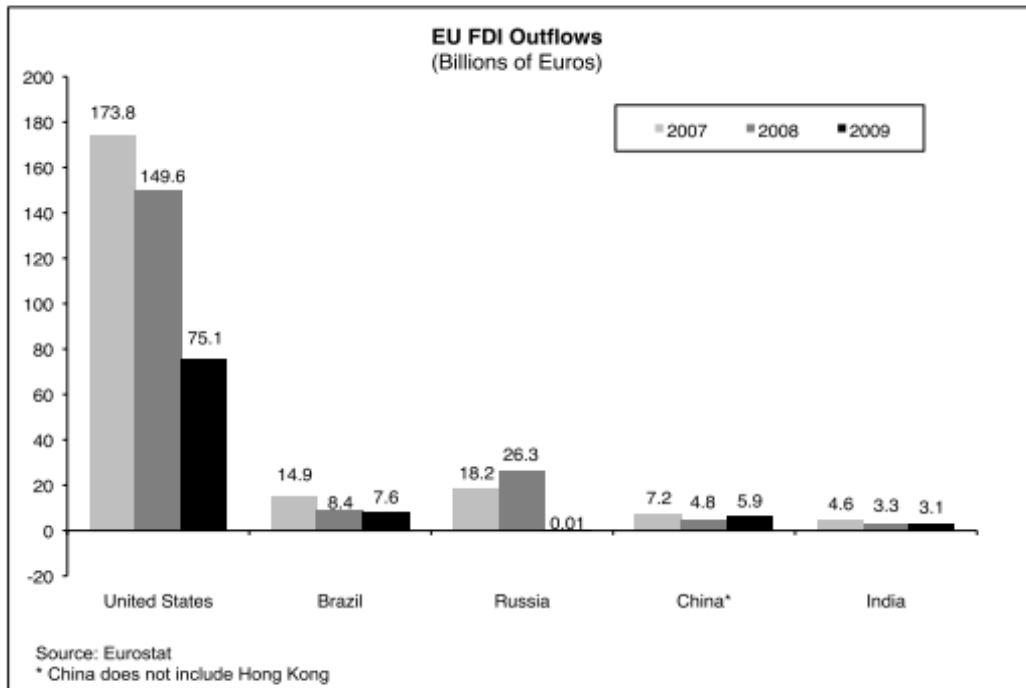
Figure 6: US Foreign Direct Investments in EU Compared to BRIC 2000-10

U.S. Foreign Direct Investment Outflows to the BRICs vs. Europe[1]
Billions of $

Legend: BRICs, Europe

Source: Bureau of Economic Analysis
[1] Europe does not include flows to Russia
* Data through 3Q2010, Data annualized for full year estimate
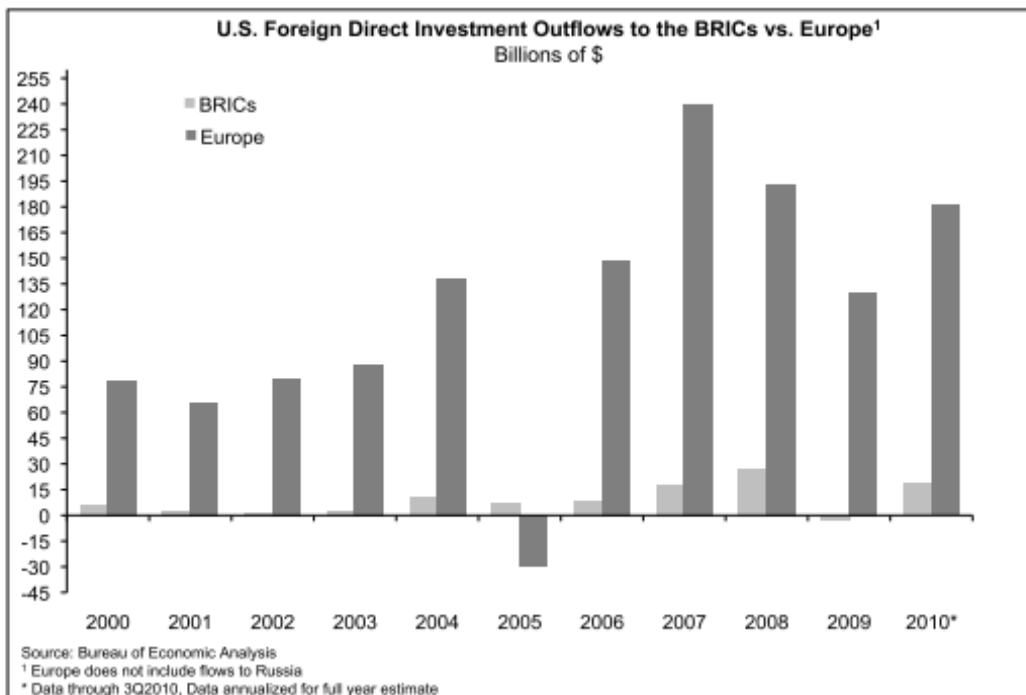
The US as the EU Defence Umbrella: the Contextual Dimension

The history of the relationship between the US and the EU is not limited to the period of the latter's evolution since the second half of the 20th century, but lies further back than this, belonging in fact to the cultural, socio-political and geostrategic correlations that link the two sides of the Atlantic. The distinguished association is actually inspired by US sacrifices in defending the European democracies in the first half of the 20th century, in addition to the long-lasting position provided to Europe by the US during the Cold War.[1065] According to Daud Abdullah, these relations are also believed to have been inspired by the protection provided beneath the nuclear umbrella that the US has offered Europe over time;[1066] a matter that has enabled Europe to flourish and develop as an entity, politically, economically and strategically.[1067] Hedley Bull also notes that, in the period of the Cold War, "Europe itself [could] construct no counter-balance [to Soviet nuclear power] without importing outside help", which was sought by the Europeans themselves from the US, the only state that has had the capability to do so.[1068]

Being protected by the US from being targeted from within or outside,[1069] has left the Europeans with feelings of deep appreciation for the favours that have been done for their countries. Significantly, without US intervention in the two world wars, the democratic states of Europe might have been defeated since they were on the verge of collapsing under the huge and devastating machines of the Fascist and Nazi regimes.[1070] US intervention in both conflicts undoubtedly tipped the balance of power in favour of the democracies, and changed the face of history thereafter. Furthermore, the commitment of the US to Europe continued by way of its huge contribution to rebuilding Europe after WWII, and the supportive scheme known as the Marshall Plan (officially the European Recovery Program, ERP) through which the US invested in the reconstruction of the devastated European infrastructure.[1071]

Another era of US favours was highlighted with the outbreak of the Cold War, in which the Eastern Camp represented by the Soviet Union stood against the Western Camp represented

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[1065] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p.40
[1066] Author's Interview, 'Daud Abdullah', (London, 9 January 2013).
[1067] Pollack, 'Theorizing EU Policy-Making'.
[1068] Hedley Bull, 'Civilian Power Europe: A Contradiction in Terms?', *JCMS: Journal of Common Market Studies,* 21/2 (1982), 149-70. p.157
[1069] Pollack, 'Theorizing EU Policy-Making'.
[1070] Robert J Lieber, 'The European Union and the United States: Threats, Interests and Values.', *Working Paper Series* (ACES Cases No 2004.1: American Consortium on EU Studies ACES, 2004). p.23
[1071] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 36

by the US. Under the umbrella and leadership of the US, the Western military defence alliance, known as the North Atlantic Treaty Organization (NATO) was established in 1949. The challenges which faced the Western Alliance were spearheaded and challenged under the NATO initiative by the US, which focused its abilities on keeping the alliance safe and protected from outside threats, based not only on the wishes of the US but also on European security needs.[1072] Hence, the US fleets that roam the high seas and oceans are committed not only to securing the European and American areas, but also their interests and their allies in other parts of the world.[1073] Therefore, the US launched wars on behalf of the Western countries and intervened directly and indirectly on many occasions or clash points. Although some of the European countries such as the UK, France, Spain and Italy have contributed to the US activities under the umbrella of the NATO or away from it,[1074] the last word has always been with the US due to its renowned capabilities and continuous transatlantic commitment. Even when the matter was related to Europe's 'backyard', as in the Yugoslavian crisis in the 1990s, the EU was unable to take decisive action until the US did so.[1075] Therefore the paternalistic role of the US towards Europe in terms of the part it plays in Europe's survival, stability and development is undisputable.

Price in Return: EU-US relations and the Boycott of Hamas

The US is certainly not a charitable institution, distributing money and services without anything in return or a normatively-driven actor. In every outstanding situation involving the US and its allies, it has been obvious that the US was defending itself, achieving its interests, and strengthening its allies on the one hand, while at the same time stressing its hegemony and the meaning of its entitlement in being the only recognized hegemonic Western superpower in the world. Accordingly, it was expected from those allies that the US defended, protected, and militarily or atomically shielded, to act and behave in accordance with the services supplied by it. This 'payment-in-return' does not necessarily mean that the EU policies must absolutely match the US tactics or that "the EU [has] no regional role independent of the United States";[1076] in fact, it shows the necessity of coordinating relevant

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[1072] Ibid. p. 40

[1073] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p. 20

[1074] The Second Gulf War on Iraq and the war on Afghanistan in 2003 are examples of this. NATO was invoked in Afghanistan while some of the European countries, such as the UK and Spain, participated in the war on Iraq without using the NATO umbrella.

[1075] Wallace, 'Foreign and Security Policy the Painful Path from Shadow to Substance'.

[1076] Helene Sjursen, 'Missed Opportunity or Eternal Fantasy? The Idea of a European Security and Defence Policy ', in John Peterson and Helene Sjursen (eds.), *A Common Foreign Policy for Europe? Competing Visions of the CFSP* (London and New York: Routledge, 2005). p.113

policies with the US[1077] so that the US can continue to offer its defence capabilities in the service of the EU's geo-strategic interests in the world.

However, this equation produces two parties, one of whom constitutes the stronger and the hegemonic actor, which is the US, while the other one, which is the EU, is dependent on the former. The socio-politically constructed interaction between them has led both to build their perceptions about their roles in the ME, particularly in Palestine, and to give these roles specific meanings. In light of these meanings, each actor's operational limitations are drawn, from which it is easy to identify who is the hegemonic or chief actor and who is the weak or dependant one. In the case of the Palestinian-Israeli conflict, the dependant and marginalized power is supposed to adapt itself to the interests and priorities of the hegemonic actor. According to Kenneth Waltz "the more powerful enjoy wider margins of safety in dealing with the less powerful and have more to say about which games will be played and how." Although it would seem that "dependant parties have some effects on independent ones, [but] the latter have more effect on the former", with the result that the weak actors operate on constricted margins.[1078] The EU's status in this respect has resulted from its great reluctance "to break ranks with the United States", so that it confines itself to playing on the "margins of US-dictated policies".[1079]

Because of this equation, the EU has found itself obliged to pay the price of this dysfunctional relationship with the US.[1080] Therefore, the EU might have held other views about the arrangements made by the US, as for example in Palestine, but has not undertaken any action that would put the US in the corner politically. Instead, it would remain silent or use a faintly disapproving diplomatic voice but without applying its abilities to influence the political scene in any dramatic way. Ahmed Yusef, former consultant to the Hamas Prime Minster Ismail Haniyah, went a long way in asserting that politically Europe has become an American colony since the end of WWII, and that its positions in the international arena are not decided without taking US policy and attitude into account.[1081] From the perspective of a high-ranking EU official, commenting on the EU's status with the US, "the stronger does always what he can, whereas the weak suffers the consequences; the EU is fragile and does not speak with a unified voice in foreign affairs issues", a matter which has made the former

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[1077] Allen and Pijpers (eds.), *European Foreign Policy-Making and the Arab-Israeli Conflict* p. 243
[1078] Waltz, *Theory of International Politics*. p 194
[1079] Tocci, 'What Went Wrong? The Impact of Western Policies Towards Hamas & Hizbollah'. p.10
[1080] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p. 40
[1081] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

exposed to the hegemony of the latter, coexisting with the differences that may from time to time appear between them.[1082]

In fact, differences like these are bearable and could be contained depending on the nature of the controversial matters. From Christopher Hill's view, there will, of course, be continued tensions and disputes between Europe and the US, especially on non-military issues, because of their different interests, perceptions and even their different principles.[1083] Thus, this kind of relationship between the US and the EU, and the EU's preference for following the US in certain debatable cases (such as the situation in the ME, and particularly the Hamas dossier) even when it is quite capable of functioning in a different way, simply reflects the EU's fragility, and the extent to which other non-normative calculations are prioritized at the expense of its normative discourse.[1084]

Since it was labelled a terrorist organization by the EU in 2003 and subsequently its democratically-elected government was boycotted after 2006 due to the EU's previous decision, Hamas has become a victim of the dysfunctional relationship between the EU and the US. While the latter had no problem in welcoming Gerry Adams, the leader of Sinn Fein (the political arm of the IRA – the Irish Republican Army), in New York in January 1994, whereas he had previously been considered the spokesman of terrorists,[1085] the US has stood as an obstacle to any dialogue with Hamas, either as a movement or a governmental body. Despite its negotiations initiative with the IRA and the role it played with the UK in reaching a reconciliation agreement, the same actor, through the Quartet, has directly or indirectly blocked the EU's path and has prohibited formal political contacts with Hamas. In spite of the vast sense of conviction that can be sensed amongst the EU's political and administrative staff in support of revising the EU's position towards Hamas, the decision makers have not changed and prefer to follow the US position in this regard, of course alongside other considerations.

Generally speaking, although the EU has had its own relative margin for manoeuvring away from the US on tactical issues, this margin narrows or widens following the sensitivity of the subject to hand, as is the case that is under discussion. Nevertheless, since the mechanism for

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[1082] Author's Interview, 'Anonymous/ Middle East Unit in EP', (Brussels, 14 May 2012).
[1083] Hill, 'Closing the Capabilities-Expectations Gap? '.p.35-36
[1084] For the purpose of understanding in detail how this action of functioning is perceived by others, see: Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p.40-41
[1085] Patrick Cockburn and Alan Murdoch, 'Adams Is Allowed 48-Hour US Visa: Clinton Agrees Visit Despite Dispute ', *The Independent,* 31 January 1994.

dealing with Hamas in the Middle Eastern context is one of those tactics which does not significantly affect its strategic relations with the US, the EU has opted to harmonize its policy with that of the US; hence, it continues to boycott any formal political dialogue with Hamas. According to the MEP Kyriacos Triantaphyllides, even though the EU is the biggest donor and has adopted some significant and advanced positions regarding the Israeli settlements and Israel's policies in Jerusalem, it has also had the capability to function in a better way by being more decisive and critical with Israel. However, it has never taken the lead in this direction, and has left the initiative to the US. He attributed this to the fact that the EU has never had a single foreign policy or a single voice, but it has had 27 foreign policies which have made it weak and dependent on the US in the Palestinian-Israeli conflict.[1086] Daud Abdullah, director of the ME Monitor in London, also believes that the EU has no independent foreign policy regarding the Arab-Israeli conflict. As an expert in this field and with strong connections to EU officials, Abdullah noted that in their talks with him these officials describe the influence that the US has exerted on the EU positions as horrific, adding, "when you talk to the officials in Brussels they tell you about the Americans and how they have to cope with them."[1087] Hence, the price that the EU has been paying has a political nature and has, of course, reflected on the EU's operative role in the ME, including its position regarding Hamas.

Given that the US is considered the defender and the protector of the EU's economic and geo-strategic interests in the world, which are also underpinned by socio-cultural and economic links, its global hegemonic policies have essentially become, in one way or another, more understandable by its allies. This is a matter that holds the EU responsible at least for harmonizing its discourse with the global attitudes and policies of the US in sensitive areas and clash points in which the US has had a big stake, like the Arab-Israeli conflict and the Hamas led-government issue. Thus, as far as it is possible these strong correlations have been significantly translated into adopting and passing on particular political attitudes in specific places in the world.

ME as a US domain: Complementary EU Role

Regarding the explanations given above, it could be said that the US, having cast its leverage over the political components of the region as an actual outcome of the role that it played in WWII, has also replaced Europe in the area of the Arab-Israeli conflict that erupted in 1948.

[1086] Author's Interview, 'Kyriacos Triantaphyllides', (Brussels, 21 June 2012).
[1087] Author's Interview, 'Daud Abdullah', (London, 9 January 2013).

From the beginning the US took up a distinctive position, by recognizing the state of Israel and by adopting and supporting it in the context of the Cold War. It was noticeable, however, that after the 1967 war, in which Israel occupied the rest of Palestine and other Arab territories, the US established its leadership in the region more firmly than ever, and that it has never since then accepted any other participating parties into the strategic decision-making circles around the Arab-Israeli conflict, even from the same Western camp. This has resulted in a new era of US-led domination and hegemony. Hence, as previously noted, the favours that have been granted by the US over time to the EU are used as a way of making the EU understand that its self-directed attitude in the ME would affect their mutual relations, and that thereby the whole commitment of the US towards the EU might be called into question. This has forced the EU leaders on many occasions to emphasize the complementary nature of Europe's role in relation to the role taken by the US in the Arab-Israeli conflict.[1088]

This US position, according to Costanza Musu, stems from its refusal of any intrusion into what is considered the 'US domain', in addition to its distrust of the EU's ability to achieve a satisfying compromise, as well as its lack of a harmoniously-constructed role in this regard.[1089] An anonymous member of the EEAS welcomed this perception and confirmed that there is a realistic recognition among EU politicians that since the US is the only power that has had leverage in the Arab-Israeli conflict, implicitly the EU is susceptible to being influenced by the US (even with regard to Hamas or other similar issues).[1090] According to the MEP Ivo Vajgl,[1091] and Ioannis Kasoulides, a member of the EP's Foreign Affairs Committee,[1092] this fact should not have prevented the EU from asking Israel to show a full compliance with the IHL. Thus, the US monopoly on the MEPP, and the restrictions it has put on the "foreign policy instruments provided by the Framework for Political Cooperation have certainly contributed to relegating the (EU/EC) to a secondary role in the region."[1093]

EU: Partner-Dependent Debate in the Hamas Dossier
Despite these facts about the way the EUFP is noticeably affected by the US, this does not appear to mean that the EU's policy towards Hamas or the Arab-Israeli conflict in general, is fundamentally different from that of the US. However, in terms of their strategic position on

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[1088] See, Miller, *Inglorious Disarray: Europe, Israel and the Palestinians since 1967*. p. 98
[1089] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*.p.35
[1090] Author's Interview, 'Anonymous/ Counselor at EEAS', (Brussels, 1st June 2012).
[1091] Author's Interview, 'Ivo Vajgl', (Brussels, 28 June 2012).
[1092] Author's Interview, 'Ioannis Kasoulides',(Brussels 28 June 2012).
[1093] Musu, *European Union Policy Towards the Arab–Israeli Peace Process the Quicksands of Politics*. p.44

Israel, and the commitment of the US and the EU towards its security and stability, transatlantic relations are not subject to controversy. On the whole, the EU leaders' discourse about Israel that was discussed in the previous chapter is very similar to the speeches of the White House leaders.[1094] Ideologically, theologically and socio-politically inspired thoughts and perceptions about Israel and its Jewish identity within its geography could be easily noticed in the way US and EU leaders envision Israel; a matter that reflects the practical relations between actors on the ground. Significantly, any views about or with Israel that might be open to debate are based on common consensus between them, and are dedicated to stabilizing and securitizing the Jewish state in ME. Should any argument arise concerning Israel, it would be seen as a dispute between associates of the same family.

Building on this point, any divergence between the EC/EU and the US towards the Arab-Israeli cause, either in the past or present, has been a kind of tactical disagreement. Hence, some observers are convinced that there is no difference between the US and the EU regarding Hamas and other similar areas of concern in the world because both prioritise their material interests at the expense of their norms and values; in the words of Thomas Risse both "are occasionally partners in hypocrisy since they both do not always practice what they preach".[1095] According to an interviewee from the EEAS, the EU and the US "are different occasionally on tactics; how to do it and when", but strategically are on the same line.[1096] Hence, the weaker EU finds itself linked to the stronger US, following in its footsteps and protecting their common strategic goals regarding Israel and the whole conflict in general. This is because the US holds the keys to the region and its leverage is tangible almost everywhere. As noted by Vincent Durac and Francesco Cavatorta, any crack in the transatlantic relationship is not deep as might be imagined;

> Despite minor tactical differences over methods, timing and 'reach', the US and the EU have virtually the same objectives in the region, operate under the same ideological assumptions, are bound by the same constraints and fall victim of similar contradictions. The level of economic, cultural and military integration

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[1094] See: George Bush, 'Address of US President George Bush to the Knesset ', (Israeli Knesset 15 May 2008). Also William Clinton, 'Address of United States President William Jefferson Clinton to the Knesset ', (Jerusalem: Israeli Knesset, 27 October 1994).

[1095] Thomas Risse, 'Conclusions Towards Transatlantic Democracy Promotion', in Amichai Magen, Thomas Risse, and Michael A. Mcfaul (eds.), *Promoting Democracy and the Rule of Law, American and European Strategies* (London: Palgrave Macmillan, 2009). p.263

[1096] Author's Interview, 'Anonymous/EEAS/ME', (Brussels, 11 June 2012).

between the US and the EU is such that rifts are no more than very short and superficial temporary crises.[1097]

Thus, the US and the EU positions on Israel have no contradictions strategically, and the major policies in this regard are consciously constructed to serve the ultimate goals represented in securing the state of Israel in ME.

However, US-EU coordination on Hamas stems from the feeling of responsibility amongst them towards necessities in ME that do not arise essentially or solely from the fact that one power is dependent on the other in a classical sense. In light of this fact, Marc Otte, the former EUSR to the ME Peace Process was entirely correct in saying that "those who believe that the EU follows the US blindly are not correct",[1098] because when it decides on a certain policy regarding the Arab-Israeli conflict, the EU does so consciously and based on a conviction which, according to Ahmed Yusef, "does not deviate from the determinants of the US foreign policy".[1099] Marc Otte confirmed the partnership that brought the EU and the US together in the ME, putting more emphasis on the US's ability to function as one government with one foreign policy in this area, unlike the EU which, as noted above, has 27 governments with 27 different foreign policies. According to the interviewee, the EU policy towards Hamas and the whole ME is no different from its policy everywhere; it is a combination of values and interests. Therefore, it is coordinated with the US in light of the balance of power and the balance of interests. This reveals the extent to which the EU is inconsistent when it declared in its treaties that the norms which inspired its composition are the same prioritized objectives that it sought to deliver in the world. Marc Otte believes the ultimate goals and the thinking mechanism of both the EU and the US regarding the conflict in the ME are almost the same, with some marginal differences in their perceptions of priorities in the region due to Europe's geographical proximity to the ME.[1100] Thus, in this equation the EU cannot be considered simply as a financially capable and politically immobilized donor, as in the case of the Gulf States.[1101] The EU has done what it does in the

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[1097] Vincent Durac and Francesco Cavatorta, 'Strengthening Authoritarian Rule through Democracy Promotion? Examining the Paradox of the US and EU Security Strategies: The Case of Bin Ali's Tunisia', *British Journal of Middle Eastern Studies,* 36/1 (2009/04/01 2009), 3-19. p.4-5

[1098] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).

[1099] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

[1100] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).

[1101] Hussien Abou El-Namel, 'Euro-Israeli Economic Relations and Their Impact on the European Foreign Policy [Translated]', *The Europeans Foreign Policy towards the Palestinian Issue* (Beirut: Al-Zaytouna Centre for Studies and Consultations, 2010).

full awareness of the dimensions of the conflict and the (harm) which Hamas is perceived to be causing to the MEPP, a position that is also shared by the US.

In this context, and for the sake of convenience the EU has handed over the leadership in the Arab-Israeli conflict to the US. According to Ilan Pappe, it is easy for the EU to follow the US in this regard by deciding that Hamas is almost part of Al-Qaeda; "they give you the impression that they regard Hamas as a real terrorist organization." Had the EU not done so, in the Arab-Israeli context, it should have answered to its people about what they were observing on the ground, and what it has so far done to solve the political and humanitarian dilemma in Palestine. By putting the responsibility on the shoulders of the US and pretending that it is unable to challenge the US, most charges of accountability would be directed to the US and not to the EU. Hence, contrary to the EU declaring inspiring norms, it is more beneficial for it to maintain good relations with the US and Israel than to challenge them by recognizing the Hamas movement, even after the latter had been democratically elected in free and transparent elections in 2006. Thus, in his view, when the EU decided to boycott Hamas, it preferred the self-interested choice based on satisfying the US and Israel, to the values behind which it has hidden.

Pappe also believes that since 1967, Israel has been the only entity determining what happens on the ground in Palestine, and, under US protection, is the only party to have drawn up a peace process agenda for the past and future. However, from Pappe's perspective Hamas is the major element in Palestine that has to a certain extent been able to challenge this fact; therefore, the EU is welcomed into the peace process as long as it adopts the vision of Hamas as a challenge and a danger. The EU's responsive policy, he maintains, is built on another factor which suggests that under such circumstances, the EU is in principle less interested in an independent role in the Palestinian-Israeli conflict, than it would be interested, for example, in Africa in similar circumstances.[1102] Accordingly, the EU's lack of interest in taking an independent role in Palestine, in addition to the leading role played by the US, has made the EU sacrifice its values in favour of self-interests to be found with the US and Israel.

In this context, the US was able to achieve some significant breakthroughs in the Arab-Israeli conflict and to sustain them accordingly. Developments from the Camp David Accords between Egypt and Israel in 1979, to the Madrid process in 1991, and the Oslo agreements leading to the establishment of the negotiating track between the PLO and Israel would not

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[1102] Author's Interview, 'Ilan Pappe', (Exeter/UK, 12 November 2012).

have happened in the absence of a clear role and supervision by the US.[1103] Without the support given to all these stages none of the regional powers could have played the same role as the US. Although the Europeans played a significant supporting part in the whole process, it is obvious that this was simply logistical, financial and "complementary to the efforts of the US"[1104] in this domain. However, at certain stages the Europeans did have political views that differed from those of the US, such as in the Venice Declaration in 1980 and in relation to the notion of the peace conference versus bilateral negotiations as a mechanism through which the crisis could have been solved before the Madrid peace process was established in 1991.

Despite the significance of these initiatives in terms of paving the regional political environment to later US-led change,[1105] the EU could not translate its enterprise and its enabling financial power into practical steps; instead it simply launched declarations, preferring to leave the leadership to the US in this regard.[1106] Thus, according to John Van Oudenaren, "the EU's imperative to maintain cooperation with the United States on the Middle Eastern dossier has meant that the EU has constantly accommodated the line followed by Washington."[1107] This was glaringly obvious after the Oslo Agreements, when the EU dedicated its efforts to assisting the US to keep the peace process alive in Palestine by building the PA institutions according to Washington's choice. When the democratically-elected Hamas won the elections in 2006, the EU, according to Oudenaren, preferred to follow the US tune, and contrary to all its democratic teachings, refrained from supporting the outcomes of democracy by shoring up the Fatah movement, the losers in democracy, instead.[1108] Consequently, even if it has been deliberately marginalized or has intentionally put itself aside, it could be claimed that the EU partnership with the US with regard to the Arab-Israeli conflict is built on an implicit subcontract led by the US, in which the EU is mandated to play merely a complementary role.[1109]

[1103] Dieckhoff, 'The European Union and the Israeli-Palestinian Conflict ',
[1104] Dieckhoff, Naumkin, and Cordesman, 'The Role of Europe in the Middle East '. p.5
[1105] European Union Committee, *The EU and the Middle East Peace Process: 26th Report of Session 2006-07.* p.33
[1106] Alvaro De Vasconcelos and Marcin Zaborowski, 'The EU and the World in 2009: European Perspectives on the New American Foreign Policy Agenda.‖ Iss Report', *European Union Institute for Security Studies, /*4 (2009). p. 25-27
[1107] Oudenaren, 'The European Union as a Foreign Policy Actor toward a New Realism'. p.123
[1108] Ibid. p.123
[1109] El-Namel, 'Euro-Israeli Economic Relations and Their Impact on the European Foreign Policy [Translated]'.

The US Lead after 9/11 and the New EU Security Agenda: Victimizing Hamas

The so-called 'war on terror' launched by the US after the events of 11 September 2001, has fostered the EU-US relations to levels unprecedented since the end of the Cold War in the late 1980s. The attacks on the US, as well as those on London and Madrid by Al-Qaeda in 2004 and 2005, served to adapt the agenda linking the two powers into one that was focused more on security and cooperation against terrorism.[1110] As a result, they have together become the biggest allies in the fight against 'terrorism' as described in 2006 at an inter-parliamentary meeting between EU and US legislators.[1111] Significantly, the EU had responded rapidly to the new challengesadopting, for the first time, a common position on the application of specific measures to combat terrorism in 2001,[1112] and thereby the EU Security Strategy (EUSS) in 2003 which emphasized the depth of the relationships and partnership with the US in light of these threats; "the transatlantic relationship is irreplaceable; acting together, the European Union and the United States can be a formidable force for good in the world".[1113] This assertion alongside the whole EU strategy is highly compatible with the US Security Strategy (USSS), if not a replica of it. Thus, the EU has echoed the US efforts in fighting 'terrorism', calling on the countries of the region to be "constructive in the fight against terrorism", and "tackling the direct or indirect financing of terrorism" as its priority.[1114] At the same time, the US affirmed the same meaning in its partnership with the EU by focusing on the importance of the EU in the USSS and the entire US performance around the world, seeing it as "the cornerstone for U.S. engagement with the world, and a catalyst for international action".[1115] Thus the 9/11 events and their global repercussions have been translated into a stronger US-EU partnership over security issues and 'terrorism', and further underpinned the functionality of these powers in the world and particularly against Hamas in Palestine.

However, the perceptions which the EU and the US hold about their duties in the world are of equal importance to the identities which they both claim. In addition to the significance of

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[1110]   Kristin Archick, 'U.S.-EU Cooperation against Terrorism', in Congressional Research Service (ed.),
        (Reports, April 22, 2013).
[1111]   EU, '62nd Interparliamentary Meeting between the European Parliament and the United States Congress
        and Transatlantic Legislators' Dialogue (Tld) '. p.4
[1112]   EU (July 2013), 'Factsheet; the EU list of persons, groups and entities subject to specific measures to combat
        terrorism', in General Secretariat of the Council - Press Office (ed.), (Brussels).

[1113]   EU, 'European Security Strategy'. p.13
[1114]   EU, '2518th Council Meeting', in Council of European Union (ed.), (Press Release, 10369/03; Luxembourg,
        16 June 2003).
[1115]   Al-Fattal, 'The Foreign Policy of the EU in the Palestinian Territory'. p. 41

NATO in achieving the strategic goals of the USSS, the US and the EU both perceived each other as the power that is indispensable for constructing the security and stability which are needed for achieving their ultimate economic and geo-political objectives in the world. Thus, motivated by developments after 9/11, they have fostered their partnership alongside their other allies in the world, including Israel, to overcome various common challenges identified, *inter alia*, in the EUSS and the USSS, as 'terrorism'. This matter has left no room for excluding Hamas from the fight, since it has been placed in the same basket as organizations like Al-Qaeda that are regarded as terrorists. In interpreting this partnership, Herman Van Rompuy, President of the European Council, attributed such cooperation to the common values of the EU and the US, and the common challenges which necessitate a shoulder to shoulder policy for tackling global problems.[1116] Thus, the EU has found itself a major partner and ally, led by the US, against terrorist organizations amongst which Hamas has been situated.

Significantly, the rules of the game in this alliance, and the way it functions were underlined by the US due to its momentous plight in the aftermath of 9/11; as a result all partners of the US, including the EU, have to adhere to these guidelines or rules. Commenting on this kind of association, an anonymous member of the EEAS, sharing his opinion with another MEP,[1117] perceived the US as dominant and unchallenged in the ME while the EU simultaneously lacks capability and unanimity, which paved the way for the EU to follow the US in the Hamas dossier. In his opinion, if the EU wanted to stand as a counterpart to the US it should have a 'one voice policy' to be capable of influencing the DMP in the Arab-Israeli conflict.[1118]

Contrary to this opinion, the MEP Paul Murphy rejected viewpoints that attributed problems of the EU in the ME to the lack of unanimity, concluding that "even if the EU is speaking in one voice what would this voice say", in light of establishing powers in the EU that see themselves having broadly the same interests in the ME as the US. The European powers on the one hand, and the US on the other are driven by their perceptions of their interests in the region, with the result that the US "dictates the agenda and the way it allies with the EU and how [it] uses [the latter] in the world." As a part of these interests, Israel sits at the top of this agenda which is used to being drawn by certain powers in the EU, and to a large extent is

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[1116] EU (20 November 2010), 'Remarks by Herman Van Rompuy, President of the European Council, following the EU-US Summit', in European Council (ed.), (PCE 274/10; Lisbon).
[1117] Author's Interview, 'Anonymous/ Middle East Unit in EP', (Brussels, 14 May 2012).
[1118] Author's Interview, 'Anonymous/EEAS', (Brussels, 18 June 2012).

influenced by the US attitudes. From his perspective, without physical and political changes in various countries in Europe, and thereby a change in the performance of the EU, its weaknesses will remain as always. Fundamentally, as he stressed, the EU's policy towards Hamas is hugely influenced by the pressure which has been applied by the US and coordinated with particular powers within the EU; "the US makes the framework within which the EU operates, and the limitations within which the EU adjusts its positions towards the events in terms of the condemnation or the support it might show".[1119] Thus, the rules laid down by the US still control the way that its allies must follow.

Ironically, although Hamas has showed a significant tendency towards moderation so that many countries have revised their position towards it, the EU has not yet done so. According to a MEP, commenting cynically on the EU's insistence on not correcting its erroneous policy towards Hamas, "the West revises its position towards Hamas but the EU not yet… it has to wait until the US revises, then [we] will do so".[1120] This reflects the extent of despair that some EU officials feel towards the EU FPDM mechanism, in this and other areas of discussion alike. Accordingly, the 9/11 attacks in 2001 have had significant repercussions globally. In spite of the distinguished relations between the US and the EU in principle, the EU's agenda towards Hamas has been substantially affected by such attacks, and in this regard it has been remarkably captive to the 'magnetic power' of the US. According to Keukeleire and MacNaughtan, the US is still exploiting the EU in the name of the 'War on Terror', just as it did in the name of 'Communist danger' during the Cold War – a vicious circle which should be broken.[1121] Thus, the absence of the EU's revision of its policy towards Hamas reflects the reality of being externally affected, albeit relatively, by the agenda of another actor in the world.

EU Lost Initiative towards (Democratic) Hamas: the Captivity to the Quartet
It could be said that the ME constitutes the most significant geographic entity in which the EU has had a distinctive voice.[1122] This could be seen in the Venice Declaration in 1980, the first and second Gulf wars in 1991 and 2003, in addition to the EU's reactions to some of the Israeli policies in Palestine. In spite of having a loud voice on occasions, the EU is still at the walking stage compared to the capabilities of the US in performing and influencing actors in the ME conflict. Therefore, its attempts to affect the road to peace are still trapped by its

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[1119] Author's Interview, 'Paul Murphy', (Brussels, 21 June 2012).
[1120] Author's Interview, 'Anonymous/ Middle East Unit in EP', (Brussels, 14 May 2012).
[1121] Stephan Keukeleire and MacNaughtan, *The Foreign Policy of the European Union*. p.41
[1122] Bulut et al., 'A Strategy for EU Foreign Policy '.

patterns of action over time. In the wake of Al-Aqsa Intifada in 2000, the EU considered the situation as dangerous as it was affecting all its outlays in the peace process between the PA and Israel. It was therefore eager to get the negotiations between the two parties back on track and to stop them attacking each other. Understandably, and especially after the 9/11 attacks on the US, its enthusiasm was not sufficient to contain the violence and restore the initiative in the region. With these attacks taking place, a new initiative should have been formulated to enable the new "coalition of good" to function against the "ally of evil" in the world without being interrupted.[1123] Hence, the US wanted discretion between the PA and Israel to be able to take revenge freely in other places.

For this purpose and in cooperation with others, the US institutionalized the international efforts exerted in the Arab-Israeli conflict by forming the Middle East Quartet in April 2002. The MEQ has been used either to contain EU, Russia and UN efforts or to guide their reactions to the escalating violence between Israel and the Palestinians. Thus, the EU's enthusiasm for functioning in the region has been institutionalized through an association which in the first place is led by the US. Since its formation, international interventions in the conflict have mainly come through this establishment, extending to the Quartet's reaction to the Hamas electoral victory in the Palestinian elections in 2006. Significantly, compromises, propositions and economic and political initiatives in this regard have to be organized and approved by the Quartet. This is why the EU found itself captive to the Quartet's decision, taken five days after the appearance of the election results of 25 January 2006, to make any recognition of Hamas's electoral victory conditional on its compliance with the three stipulations mentioned previously.

By linking itself to the US policies in the Quartet, which refused any positive change towards Hamas unless the international demands were met, the EU has not changed its position. As a result, it has become trapped in this "gilded cage",[1124] incapable of acting, and refusing to engage diplomatically with a very significant party in the conflict. An anonymous officer from the EEAS felt that the EU has tied its hands by agreeing to be part of the Quartet, and by following the US, which is hijacked by its internal calculations rather than anything else, in adopting the three conditions for recognizing the Hamas government.[1125] Margrete Auken, the EU's Vice-President of the Delegation for Relations with the PLC, went further than this,

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[1123] These conceptions were launched in George W. Bush speech in 2002 four months after the 9/11 attacks.
[1124] Bulut et al., 'A Strategy for EU Foreign Policy '.
[1125] Author's Interview, 'Anonymous/EEAS/Policy Adviser', (Brussels, 22 June 2012)

pointing out that, in a clear signal to the US representatives, there were Israeli representatives in the Quartet who dictated policies towards democracy outcomes in 2006, and that the EU followed whatever the Israeli representatives wanted regardless of their demands. [1126]

It could be claimed that the EU-US combination under the aegis of the Quartet is a distinctive institutionalized initiative in the Palestinian-Israeli conflict, but at the expense of the political personality of the EU. In his interpretation of the policies of the EU and the US towards Hamas, the MEP Jarmo Oikarinen thinks that the two powers have followed different approaches towards the actors in the ME while the Quartet and the Roadmap are two examples of how the powers can together act in the Arab-Israeli conflict. In his interpretation of the EU's position in the Quartet, he claimed that negotiations between the PA and Israel are considered the only lasting solution that could be followed by all parties to solve the conflict, and that the EU position on Hamas has become a hostage to this consideration. The EU certainly did not want to upset Israel by taking any position which might affect the process of negotiations, and has therefore opted to follow the guidelines drawn by the Quartet.[1127] While the Quartet had been established to facilitate the effective and influential channelling of the efforts of international society, the US, a weighty actor with leverage on ME conflict, has imposed its hegemony and directed these efforts towards targeting particular directions which it perceived regarding Hamas.

Michael Docherty from the European Commission also stressed that although there is coordination between them, the US should not be allowed to dictate the EU's geostrategic interests in the ME. However,

> The EU made a mistake in allowing the Quartet to dictate its policy regarding [the post Hamas electoral victory period]. This is basically putting [ourselves] under US control. It's a problem…it is unfortunate…we need some strong EU leadership amongst the member states. The only thing we agree is to continue to pay. Unfortunately, the sums of money we pay represent the absence of political decision making…it is the price of non-policy.[1128]

The level of bitterness can be felt from these interviews, which confirm the fact that being merely a shadow of the US in the Arab-Israeli conflict reflects the inability of the EU to function appropriately as circumstances demand. Accordingly, under such an institution the EU not only suffered from the lack of consensus among its members but has been also caught

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[1126] Author's Interview, 'Margrete Auken', (Brussels, 26 June 2012).
[1127] Author's Interview, 'Jarmo Oikarinen', (Brussels 11 September 2012).
[1128] Author's Interview, 'Michael Docherty', (Brussels, 1st June 2012).

in a policy formulated in the US rather than being agreed with it.[1129] Annemie Neyts-Uyttebroeck, the MEP who accused the EU ministers in 2006 of not thinking twice when they decided to boycott and sanction a democratically elected body, is convinced that nothing could be done in the ME conflict without the decisive US role under which the EU has functioned regarding Hamas;[1130] a matter which confirms Ahmed Yousef's claim that the EU revolves in the space of US foreign policy.[1131] Thus, it could be said that as a result of the US role in the Quartet, the EU has lost its ability to put together its own independent policy in the Arab-Israeli conflict.[1132]

However, the EU's complementary role to the efforts of the US has had its ups and downs, affected by the latter's attitudes. When the US was busy with the 'war on terror' and the peace process was badly affected, strategically the EU had nothing to do. Notwithstanding the formation of the Quartet in 2002, and despite being a member of this group, the EU has functioned as the shadow of the US, and continued to move to the beat of its drum while waiting for its practical initiatives. This could be inferred from the remarks made by Herman Van Rompuy, President of the European Council, after a summit that brought him and the President of the US together in 2010: "Regarding the Middle East, I expressed the Union's support to President Obama's efforts to put the direct talks back on track. I also recalled the EU's vital contribution to the process, through our assistance to the Palestinian Authority".[1133]

Van Rompuy placed considerable emphasis on the boundaries of the role that could be played by the EU in the MEPP and in all related issues. He asserted the significance of the US role in putting the peace process back on track from one side, and recalled the EU's role through the logistical and financial assistance that it could offer in this regard. In effect, he clearly highlighted the limitations of all the parties and their roles in this dossier, adopting a marginal role while leaving the strategic issues to the US rather than the EU, as it has had always leverage on the parties in the MEPP. The EU's response to the question of Hamas can be fully understood in light of its acceptance of the leadership of the US in the region, on the basis of which the EU needs to adapt its political steps accordingly.

[1129] Hutaite, 'Euro-Israeli Military and Security Relations and Agreements and Their Impacts on the European Foreign Policy [Translated]'. p.16

[1130] Author's Interview, 'Annemie Neyts-Uyttebroeck', (Brussels 1 October 2012).

[1131] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

[1132] Möckli, 'The Rise of Islamists in the near East: The EU, the US, and Hamas'.

[1133] Daud Abdullah, 'The Impact of Israel Lobby on European Foreign Policy in Palestine', *The Europeans Foreign Policy towards the Palestinian Issue* (Beirut: Al-Zaytouna Centre for Studies and Consultations 2010).

Conclusion

It is obvious that the EU is a central actor in the Western alliance. At the same time, the other actor is the US which holds the reins of leadership in this transatlantic coalition. The strategic policies of the two partners regarding the ME are not so much contradictory as they are complementary. Whereas the leadership of the US is not openly enshrined in a formal document signed with the EU, observation confirms that this is fact. Fundamentally, while the perceptions of EU officials and experts in IR broadly confirm the reality of the EU's dependence on the US in the Hamas dossier, and in the Arab-Israeli conflict in general, the EU's self-perceived role as a complementary agent to the US in this regard, has led the EU to become inconsistent with itself by following a policy formulated by others, and often contrary to its inspiring norms and values.

This dependence has turned out to be the kind of dependency between partners but neither foes nor counterparts. Thus, the continuing EU policy towards Hamas stems from within as much as it is affected by the US as a dominant actor in the Western alliance. In the same vein, it could be concluded that there is a common feeling of inferiority towards the US amongst EU officials when focussing on the reality of having 27 foreign policies compared to one US policy; a matter which has made it easy for the EU to follow plans drawn up outside its own borders.

This reality has also confirmed the extent to which the EU is ready to prioritize its interests with the US and Israel, at the expense of its own norms, values and morals, by giving the lead to the fully and commonly-known biased actor represented in the US.

Chapter Nine: Conclusions and Recommendations

This concluding chapter presents the most important findings, contributions, and recommendations of this thesis. The study's main results and its assessment of the EU's foreign policy towards Hamas (as deduced from the empirical chapters) have been accordingly articulated. Building on this aspect, the study's contributions to the literature in this area of discussion are presented, along with recommendations to the EU decision-makers as well as to the Hamas leadership to be taken into consideration for their future relations. Since various constraints meant that it was not possible to fill all the gaps in the literature in this specific area of study, additional topics are identified that other researchers may wish to investigate in the future.

Empirical Chapters' Review

Following a descriptive chapter dedicated to the decision-making mechanism in the EU, the historical chapter proved that the tension between the EU and Hamas is an extension to the implicitly and explicitly-felt historical tension between the West and the Islamic East over time, which is based on the conflictual interaction between identities and interests of both. The examination of the EU norms and values was made in the next chapter after highlighting paradoxes pertaining to the EU discourse towards Hamas; this made it clear, in this respect, that the EU is realistically driven rather than being normatively motivated. With regard to the dialectic debate concerning resistance and terrorism, as an axis around which both actors differ significantly, it has been critically discussed demonstrating the EU double standard policy in this regard. In the following chapter, the Israeli factor was discussed as a self-driving determinant of the EU foreign policy towards Hamas, indicating the significance of the socially-constructed mix between identities and self-interests; a matter that created specific rules for breaking the EU's commitments to its previously-declared inspiring norms. The influence of the US factor on the EU decision making regarding Hamas was discussed and arguably articulated in the final empirical chapter, in which the EU's foreign policy in Palestine is also accused of being to a large extent dependent on the US.

Contradictions over Identities, Perceptions and Self-Interests

With regard to Hamas, The EU's FPDM process was aimed at containing the negative effects of the Hamas resistance on the stability and security situations that the EU itself had sought to enhance after the 1993 Oslo Agreement between the PLO and Israel. Hence, protection of the MEPP, as a channel through which stability could be achieved, was given priority by the

EU's policy which focused on two things; neutralizing the influence of Hamas after taming it through democratic means, and assuring its compliance with the Middle East Quartet's demands before legitimizing it internationally as a regional political actor. However, despite the initial use of diplomacy to achieve this objective, the most influential mechanisms applied by the EU were economic sanctions, political siege, and diplomatic boycott.

This policy was eventually characterized as imbalanced and inconsistent with the inspiring declared principles and norms of the EU construct, and was thereafter announced as the driving force of its foreign and security policy in the international arena. Whereas the promoting of democracy and respect for human rights and the rule of law are the most fundamental norms on which the EU has concentrated in its rhetoric, in the case of Palestinian democracy in 2006, the EU's practices have confirmed that it is driven by principles of self-interest, and considerations of identity, rather than being led by norms and values-based rhetoric. This has undermined the EU's credibility and its commitment to these norms and, contrary to its usual normative appearance, has enhanced its negative image as the supporter of autocratic authorities. It is believed that this inconsistent discourse and "double-standard policy in applying norms abroad does not help Europe's long-term security",[1134] which it seeks to further through its political policies.

Identity can be considered one of the main determinants of EU policy towards Hamas. Significantly, the reality of the EU as a stability-seeking and a security-driven actor in Palestine, in addition to the self-definition of Hamas as a freedom-fighter and a liberation-seeking actor for Palestine, are the main interactively-constructed and conflictual socio-political aspects that make up the contradictory status of the association between the two actors. Indeed, the identities of both and the way that each perceives itself and the other are profoundly produced and reproduced over time within the geo-strategic and political structure in which they actively function and interrelate. Unlike Hezbollah, Hamas inhabits the Palestinian land around which the conflict has been taking place, and over which, according to the Oslo Agreements between the PLO and Israel, a political compromise between Palestinians and Israelis should have been implemented in 1999 by establishing a Palestinian state. Significantly, both of the EU and Hamas inspiring cultural considerations about this land have intersubjectively conflicted and led to the former's policy towards the latter. Based on historical, ideological and religious dimensions, this land is implicitly and explicitly

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[1134] Ellner, 'Regional Security in a Global Context: A Critical Appraisal of European Approaches to Security', p. 22

perceived by the EU and Israel as a Jewish sacred area, a 'promised land', while Hamas's perception of the same land is constructed on contradictory ideological, cultural and religious elements that regard it as an Islamic land under occupation. This culturally-driven contradiction placed each actor in opposition to the other, and as explained in Chapter Seven, led the EU to defend Israel as a spearhead of the West in the Middle East, given its importance in this corner of the world. Besides, feeling that Israel holds the same set of values and norms as the EU and belongs to the same Western Judeo-Christian culture and civilizastion, pushed the EU to back this state as part of Europe and thus, in the face of its enemies, *inter alia*, Hamas, to act and react accordingly. In this sense, according to the EU, Israel is an identity matter, since it has represented a European 'Self' and Western interests in which the historical Jewish question has been solved once and for all. Therefore, existential threats to this Jewish entity (and to the West's plans for stabilizing and securing it), by Hamas or any similar entities might, if successful, ruin historical Western efforts to foster the state of Israel in the ME, and allow the Jewish question, an injury supposedly healed, to explode once again in Europe. Hence, the EU member states are noticeably interested in finishing a mission, started by their ancestors in 1917, that is represented in stabilizing and situating Israel as a Jewish state within peaceful and secure borders through the MEPP; however, contradictory actions against this mission committed by Hamas or similar entities, are considered by the EU as physical threats which must be encountered rigorously and robustly regardless of the outcome of Palestinian democracy in 2006.

In this respect, Hamas has been perceived as an obstacle to the ME peace process because of its perceptions of the conflict and its violent practices which contradicted the EU's core endeavour in this area. It represents a challenge not only to the state of Israel, but also to the legitimacy and existence of the official Palestinian side, i.e., the leadership of the PA, in which the West in general and the EU in particular, have invested time, effort, and billions of euros shaping and reshaping its mind-set and behaviour over time in accordance with the MEPP requirements. The coming to power of Hamas in 2006, holding its ideological beliefs and political convictions, disturbed this internationally-backed peace process which had been planned to disburse its advantages over specific periods of time. Significantly, this created a profound problem for the EU, by putting it on a conflicting course with its normatively-introduced image. On the one hand, the EU wanted a democratic process that would bring to power a democratic leadership committed to the MEPP, while the unyielding Hamas was not a welcome outcome. On the other hand, the EU wanted the solution to the conflict to be

negotiated and agreed peacefully, whereas Hamas does not believe in negotiations or in the MEPP as designed by Western countries and their allies. Hamas believes in, and exercises, violent resistance against the Israeli occupation, while the EU considers violence-based resistance as a kind of international pariah terrorism.

Contradictions over the perceptions of the two actors regarding other controversial issues are of equal importance to the issues noted above. Fundamentally, Hamas identifies the whole of Palestine, from the Jordan River to the Mediterranean Sea, as an exclusive right of the Palestinian people, while the EU has recognized Israel within the 1948 boundaries, which represent 78 percent of Palestine, and perceives the rest as subject to a negotiated compromise between the PA and Israel. Furthermore, Hamas considers that the two-state solution, if it happens, ought not to be based on recognition of the Israeli state, whereas the EU considers this resolution will only come about as a result of Israel having formally-recognized borders. In fact, while Israel's safety and security has over time been a very big priority for the EU, Hamas believes that by destroying Israel's security theory, the Palestinians could achieve their goals, as happened, for example, in the Gaza Strip in 2005.[1135]

With regard to the problems of Palestinian refugees, Jerusalem, Jewish settlements in the West Bank, and natural resources, along with other controversial issues, the EU is convinced that such matters can be solved only through direct negotiations. In light of the prevailing balance of power Hamas believes that neither multilateral negotiations nor bilateral talks can solve them in the Palestinians' favour, and that their political and historical aspirations can be achieved only through the resistance. From the EU perspective, however, the PLO-Israel agreements, and the historical UN resolutions about Palestine are valid for building on, although Hamas considers them as in some way validating the historical injustice inflicted on the Palestinians. Thus, the conflictual perceptions of the EU and Hamas towards the Palestinian-Israeli conflict, in addition to the definition of 'self' and the 'other' in this regard (as well as the Hamas military resistance) have intersubjectively interrelated, breaking significant EU norms and rules, and produced inconsistent policy towards the movement under light. In other words, the interaction of the practices and beliefs of Hamas with the EU's perceptions has become a fundamental determinant of the EUFP towards Hamas itself.

[1135]   In 2005 Israel evacuated the Jewish settlements in the Gaza Strip, without coordination with the PA, following a series of resistance operations against the settlements carried out by Hamas and other Palestinian factions.

The FPA methodology used in this study focuses on the DM process towards Hamas, and on the internal and external factors affecting the decision-makers as well as the policy implementation process. In this regard, many of the variables in the surrounding EU structure have, in one way or another, affected the policy adopted by the EU towards Hamas. Such variables include history-based culture and the tension which has constituted a collective cognitive psychological barrier between the Christian West and the Islamic East over time, as well as historical junctures in the Arab-Israeli conflict, and the contextual dimension of the ME in terms of its historical correlations with the European states. Significantly, these built-in variables in the mind-sets of the EU decision-makers constitute the cultural and socio-political background of the EU's policy towards the Palestinian-Israeli conflict and particularly Hamas.

As the sum of its member states and as an institution, the EU has undoubtedly inherited certain historical developments from both the 20th and 21st centuries, and has remained captive to their impacts thereafter, without being capable of making any significant change. However, the Balfour Declaration in 1917 and the Mandate that followed in 1922, the establishment of the state of Israel in 1948, the attacks on the US on 11 September 2001 and the consequent decision by the EU to put Hamas on its list of terrorist organizations, as well as the decision of the Quartet-EU, following the Palestine Legislative Council elections in 2006, to boycott the Hamas-led government, are significant historical stages according to which the EU has since found itself constrained through the effects of identity and self-interest. It can therefore be concluded that the EU's policy towards Hamas has been socio-politically constructed, historically affected, strategically distinguished and realistically inspired; and that the inconsistencies and paradoxes of this policy have clearly resulted from conflicting understandings of Palestinian rights, including the right of military resistance, that are differently perceived by Hamas and the EU.

It is expected that the European Union's foreign policy towards Hamas will remain as it is, unless substantial and dramatic changes occur on one or both sides of the equation. As long as the Hamas movement continues to function as it has done since 2006, and goes on holding the same radical beliefs that it has been preaching amongst the Palestinians regarding the conflict, the EU will not change its policy towards Hamas. Therefore, without Hamas (or, of course, the EU) changing its self-definition, and abandoning some of its identity components, the dominant status between them will remain at an impasse. However, were Hamas to redefine itself, practically or theoretically, in terms both of its relationship with the Middle

East peace process, and of stability and security as perceived by the EU and the West, the EU would alter its position.[1136] Similarly, if the EU, in principle, redefined itself in the same way, either practically or theoretically in terms of its relationship with Israel, the US and the rights of the Palestinians, the opportunity for change would become feasible.[1137] Significantly, the material and non-material interests of both the EU and Hamas in maintaining the same policy track depends on how they estimate the profits and loss that might accrue as a result of their policies. While the identity of both has proved to be changeable, shaped and reproduced over time, depending on the context and consequential outcomes of their policies, Europe's interests with Israel seems to have been constant and fixed since the Balfour Declaration in 1917. In the event of any changes in this regard, the entire association with Israel would be affected.

In addition to the external US factor, significant constraints on the EU's foreign policy towards Hamas can be found in the institutional dimension. The EU's decision-making mechanism is a complicated process. Due to the need to achieve consensus among the EU's 27 member states, unanimity is an important procedure when it comes to putting an entity on the list of terrorist organizations or removing it from that list. Any single member state, whatsoever its size, can theoretically and practically use the veto against any decision that might be taken by the majority in favour of Hamas or against Israel. Since Hamas was put on this list as a result of EU consensus, it has become almost impossible for its name to be removed, unless or until it has fulfilled all the requirements for such an outcome.

Although many EU officials agree that boycotting Hamas, especially after the 2006 elections, was a mistake, none of the EU member states has taken the initiative to ask officially for it to be taken off the list of proscribed bodies. Despite the EU's decision to declare the military and political wings of Hamas as 'terrorists' in 2001 and 2003 respectively, it turns out that the behaviour of the EU institutions and member states has gone beyond the terms of the decision. Whereas the decision merely talked about "the freezing of the funds and other financial assets or economic resources"[1138] of those categorized as terrorists, and did not criminalize the act of speaking to them, the EU bodies nevertheless boycotted Hamas, and constantly refused to open any official dialogue with the movement. Thus opportunities for opening appropriate channels of diplomacy that should have been utilized with the Hamas-led

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[1136] Author's Interview, 'Marc Otte', (Brussels, 9 July 2012).
[1137] Author's Interview, 'Usama Hamdan', (Turkey, 15 December 2012).
[1138] EU, 'On the Application of Specific Measures to Combat Terrorism'.

government after 2006, have not been activated or used. In addition to the considerations noted above, this is due to other institutional restrictions represented in the Middle East Quartet and the dominant influence of the US on it.

The EU's apparent differences with the US and Israel over its policy towards the Arab-Israeli conflict resemble no more than the varying opinions found among members of the same family, and are mostly related to (what fits more appropriately than the other) approach, rather than being drastically and substantially divergent. The EU and the US are partners, neither counterparts nor foes, in seeking stability and security for Israel, and also subscribe to the same norms and values, which implies the EU's commitment to the existence and survival of Israel and, at the same time, its compliance with the US discourse towards Hamas. Although cultural and historical heritage is one of the components of the European decision-makers mind-set, this study has found, contrary to what Ahmed Yusef believes,[1139] that the EU policy towards Hamas is not affected by whether or not Hamas is Islamic as much as it is affected by Hamas being militarily effective against the safety and survival of Israel in a manner that may threaten it ontologically, and by extension endanger the MEPP. Hence, the EU has put other secular militant Palestinian factions on the same list of terrorists, including such essentially non-Islamic groups as the Palestine Liberation Front (PLF), the Popular Front for the Liberation of Palestine (PFLP,) and Popular Front for the Liberation of Palestine-General Command PFLP-GC).[1140] However, other Islamic parties whose ideology against Israel is the same as that of Hamas have not been put on the EU's list because they do not have a 'resistance identity' and have not used violence against Israel (for example Al-Tahrir Islamic party).[1141] From the European perspective, "history shows ... that political violence has been born from all religions and ideologies";[1142] nor is it exclusive to any one group or another; therefore, what matters to the EU in this respect are actions rather than the ethnic backgrounds of those who undertake them.

[1139] Author's Interview, 'Ahmed Yusef', (Gaza Strip, 25 February 2013).

[1140] EU, 'Fight against Terrorism – Updating of the List of Terrorist Organisations', (12508/03 (Presse 264); Brussels, 15 September 2003).

[1141] Established in Jerusalem since 1953, this party calls for the rebuilding of the Islamic empire. While it holds a hostile, Islamic-inspired position towards Israel, this party does not believe in military resistance and has never exercised it.

[1142] EU, 'EU Counter-Terrorism Strategy - Discussion Paper', in EU Counter-Terrorism Coordinator (ed.), (Brussels: Council of the European Union, 28th November 2011).

Failure of the EU Policy

Europe and its allies have purposefully sought to thwart Hamas,[1143] through various means but without any convincing success. Given that Hamas did not respond positively to the demands of the EU and the Quartet, the only way for Hamas to be brought to its knees, from the perspective of its opponents, was to poke sticks in the wheels of its government until surrendering. Having noticeably failed, through democratic means, to subdue the Palestinian movement to their stipulations politically, each actor among the Western allies, the EU, and the US, in addition to Israel and the PA, acted in its own way with the aim of putting an end to Hamas in power. But despite their success in toppling Hamas from the leadership of the PA, and isolating it in the Gaza Strip after June 2007, the EU's policy towards the movement has failed to achieve any significant breakthrough in the stalemated MEPP. It has been unable to break Hamas, and has failed to bring it into this Western circle, or achieve stability and security in the region. At the same time, the EU has halted its own diplomacy in the peace process, having excluded Hamas from the Israeli-Palestinian equation and adopted instead the collective hostile policy directed against this democratically-elected body.

Similarly, the obvious failure of the EU's policy towards Hamas can be clearly seen through the opposite policy outcomes. In this regard the anti-Hamas EU strategy, supported by the positions and practices of other parties, eventually led Hamas to take over the Gaza Strip after a fight with its internationally-backed rival Fatah. The consequent deconstruction of the EU's investments in the PA security forces in Gaza, in addition to the polarization of Palestinian society between Fatah and Hamas and the resulting split between the West Bank and Gaza Strip are significant results of the European Union's policy, which was based on the notion of isolating Hamas. Contrary to the EU objectives, and given the absence of a united Palestinian leadership and geography, this split has effectively meant the disappearance of any realistic prospect for a two-state solution. Other side-effects that have ensued as a result of this policy are represented, most importantly, in the retreat of the EU from its plans for promoting democracy in the ME in favour of other agendas pertaining to rational choices rather than normative goals. This encourages dictatorships to continue to misrepresent the will of their people and confiscate their political and civil rights.

[1143] See, Soto, Alvaro de (May 2007), 'End of Mission Report/ UN Envoy to the ME', (http://image.guardian.co.uk/sys-files/Guardian/documents/2007/06/12/DeSotoReport.pdf).

Despite being boycotted, besieged and even fought against, the steadfastness of Hamas over many years is another revealing confirmation of the outcome described above. Despite its considerable diplomatic loss as a result of being isolated and proscribed, the Hamas movement has been militarily empowered, and its grip over the Gaza Strip has been reinforced, both socio-politically and financially. Additionally, because of their free democratic choices (neglected by those who are regarded as Western imperial powers), the Palestinians in Gaza, and thus Hamas, have become a symbol of 'the oppressed' throughout the world. Hence, the international solidarity movement, represented through various 'freedom flotillas' and campaigns, as well as by international demonstrations and public marches in support of the people of Gaza, constitutes an important response to the pressures on the Hamas-led government, and has led to a widening of the circles supporting Hamas, for example, by gaining the support of Turkey as an important regional power.

Significantly, the image of a defiant Hamas and its counterparts in Gaza was further deepened and enhanced following the movement's involvement in two serious wars with Israel in 2008/9 and 2012 that failed to bring it to its knees. Its ability to build up its (army) and its military capabilities, in addition to its success in enabling other Palestinian resistance factions to construct their own military forces under its protection and without the international accountability required in the West Bank under the Fatah leadership, are further evidence of the failure of the EU's foreign policy towards the movement. Thus, while the EU-Quartet policy to a certain extent succeeded in isolating Hamas diplomatically and internationally, the latter has nevertheless achieved significant gains that have moved the two-state solution further away from validation, making the region's stability rather more elusive. In the EU's sanctions policy, as the EU Council confirmed,

> Sanctions should be targeted in a way that has maximum impact on those whose behaviour we want to influence. Targeting should reduce to the maximum extent possible any adverse humanitarian effects or unintended consequences for persons not targeted or neighbouring countries. Measures such as arms embargoes, visa bans and the freezing of funds are a way of achieving this.[1144]

Thus, by going against these objectives and exceeding the intended outcomes, the EU's sanctions-based policy against Hamas has politically failed to achieve its aims, and at the same time caused huge humanitarian suffering amongst the Palestinians. As noted by Peter

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[1144] EU, 'Basic Principles on the Use of Restrictive Measures (Sanctions)'.

Seeberg, this proved that the EU, contrary to its preferred image, was "a realist actor in normative clothes".[1145]

Recommendations to the EU

Without ignoring its morally-justified interests in the ME, the EU's foreign policy, in essence, should be consistent with its declared normative objectives. However, balanced relations with the populations of the region represent the only guarantee that the EU will be able to function as an accepted mediator by all parties. Nor can it hope to achieve stability and security in its Middle Eastern backyard by being biased towards one party at the expense of others, based on self-interest and identity calculations rather than on justice and internationally-supported norms and values that accord with IHL. On the contrary, socio-political disturbance will continue to be the dominant fact on the ground; a matter that will undoubtedly reflect on the EU's interests if not in the short run, then certainly in the long term. Hence, the EU should look at the ME, and at Hamas, through the rights of its peoples, not through the eye of the Israeli needle. It is true that some EU countries have been involved in building Israel, brick by brick, but by disregarding the Palestinians' right of resistance according to the UN Charter and the Geneva Conventions, while venerating the Israeli right of self-defence, the EU will continue to be accused of inconsistency and bias in its role and will be unable to interact appropriately. Significantly, the US and Israel have their own ideologically-and strategically-motivated calculations in the ME, whereas the EU, given its proximity to the ME and the consequential threats, should take into account that its long-term interests might well lie with the Arab and Islamic people rather than with Israel.

Rebuilding EU-Hamas relations will depend on the former's ability to overcome its customary stance towards the conflict between the Palestinians and Israelis. In this respect, the EU needs to revisit its positions towards both actors – Hamas and Israel – and to treat them similarly and neutrally if it does not want to be beside victims of the conflict. If, due to institutional constraints, the EU cannot do so, the fact that its decision to ban Hamas did not negate the possibility of mutual dialogue should be reactivated by those EU members who are sufficiently courageous to act by opening up an official dialogue with Hamas. At the same time, Members of the European Parliament (MEPs) could legitimately lead the initiative with their counterparts from Hamas in the Palestinian Legislative Council by opening a constructive dialogue that might lead to more profound actions between the two parties. The

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[1145] Seeberg, 'The EU as a Realist Actor in Normative Clothes: EU Democracy Promotion in Lebanon and the European Neighbourhood Policy', p. 81

preliminary stage should be acknowledgement in EU decision-making circles of the need to deal with the Hamas dossier away from the dominance of the US and Israel. This should be followed by recognition of Palestinian rights, including their legitimate rights under the Israeli occupation. Giving priority to the normative and moral factors rather than ideological aspects will underpin the bases for constructing solid relations with Arab and Islamic countries in the future. Against this background, the outcomes of any democratic elections in the PA should be respected and dealt with accordingly, and winners should take full advantage of the opportunity granted to them by their constituencies to show their performance on the ground.

Recommendations to Hamas

The responsibility of Hamas is no less important than the EU's duty in fixing EU policy towards the movement. After fifteen years of evolution, Hamas was put on the EU's list of terrorist organizations, following the EU's policy shift from being pragmatic towards the movement to becoming more authoritarian. It is true that in this regard many determinants affected EU decision-making, but Hamas's own resistance tactics can be regarded as one of the factors that accelerated this dramatic shift. However, excessive reliance on specific resistance tactics (mainly attacks that targeted Israeli civilians) played a significant role in the context of the post-9/11 attacks in vilifying the movement. The Hamas leadership should have studied the context after these attacks and behaved accordingly; especially as there were plenty of resistance methods used in the second Intifada that could have hurt the Israeli occupation (apart from bombing people who are internationally perceived as civilians, which is no longer acceptable to Western public opinion).

In this sense, Hamas must take some responsibility for having become internationally isolated, which means that it should have been keen to keep its diplomatic channels open to the world by taking the newly-generated post-9/11 international context into account. The widespread claims by the Western media that Hamas was a terrorist organization certainly had an effect on the European Union's decision-making circles, among others, with the result that many influential figures in the EU were misled into believing such assertions. As one of my interviewees commented, Hamas should know that "it is not enough to be correct, [Hamas has] to show others that [it is] correct, and to give the impression that [it is] as so"; therefore, to reflect the justice of the Palestinian cause it has to be clearer in its statements

and behaviour.[1146] Given that the EU is internally and strategically dominated by the major powers, which are considered allies of Israel, it will not be easy for Hamas to be removed from the EU's list of terrorists. However, changing EU policy in this regard depends, on the one hand, on any alterations that could occur in Hamas's convictions and behaviour, and on the other the physical change that might take place towards Israel inside the leading countries in the European Union. Thus, if it decided not to change itself, Hamas should instead activate its soft power and exert its efforts, through its supporters in the West, towards influencing Western public opinion to become more sympathetic towards Palestine, and less towards its enemy. However, if not interested in deconstructing the EU-Israeli relationships, Hamas should at least exert its efforts to minimize the reflections of these associations on the Palestinian cause.

Contributions to the EU-ME Literature

Even if much of the literature talks about how international actors have dealt with Hamas, until the present study the EU's foreign policy approach towards Hamas has not been thoroughly articulated or conceptualized, or indeed intellectually situated. Therefore, the major contribution of this work is represented in the articulation and conceptualization processes of this policy, which were followed throughout the thesis, and investigated theoretically and empirically. As such, its inconsistencies, paradoxes, restrictions and determinants have been epistemologically drawn in this discourse.

Hence, contrary to those contributions made by others, from the three schools of thought discussed in the literature review, tackling the EU policy towards Hamas from different corners,[1147] this study has deeply investigated and exclusively emphasized the identity and self-interests-based policy affected by various societal characteristics of the EU decision-making structure. Significantly, the material presented in the research has examined and challenged the role of the identities of the EU and Hamas, their respective perceptions of the conflict, and the way these variables have subjectively intertwined and interacted. Thus, the European Union's socio-strategically constructed and realistically implemented approach to the Arab-Israeli conflict, and particularly Hamas, has been critically underscored in the ME context. In this respect, the importance of the historical junctures related to the conflict has been highlighted in terms of their impact on steering the realistic self-interest-based tendency of the EU's foreign policy towards the movement in question. However, based on this trial

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[1146] Author's Interview, 'Takis Hadjigeorgiou', (Brussels, 11 July 2012).
[1147] See the literature review in Ch1:2.

and under analogous circumstances, it could be generalized that the EU will pursue with other cases similar policies to those followed in the Hamas case.

The material provided in this thesis may also be of use to policy makers in the EU's three leading institutions: the European Parliament, the Commission and the Council. Significantly, it has lighted the way towards a more consistent EU policy by showing the opposite face of this policy. For those who are involved in the daily decision-making process and are keen to project themselves as the normative power, it is extremely important to observe the systematically prejudiced and biased nature of the discourse they have had in a specific area of functioning over a period of time, and to adjust their views accordingly. As far as the Hamas leadership is concerned, if it is interested in constructive international relations with the EU it too can benefit from taking these research findings into account. As far as I am aware, this research is probably the first in-depth study in this particular field, and is based on a vast spread of primary EU documents and interviews, the content of which has been comprehensively and analytically scrutinized.

Topics to be undertaken by future researchers

Even after answering the main questions of this study, many other problems still have to be tackled, and indeed it is clear that this whole area of discussion still needs further investigation. The effect of the Zionist lobby on the EU decision-makers regarding the Arab-Israeli conflict and its related issues has not been deeply scrutinised, nor has the weight of the Arab and Islamic minorities and associations in Europe and thereby ways in which the EU's decision-making process toward Palestine could be made more influential need to be explored . Another potential topic to be considered is "the EU's interests with the Arab and Islamic countries versus its interests with Israel", while researchers could also work on "the role of European public opinion as an effective instrument in steering the EU's decision-making process towards the rights of the Palestinians".

In addition, further areas for research and assessment might include "the construction and deconstruction of the Zionist narrative in European mentalities regarding Palestine", along with media psychology and impression-based propaganda towards Palestinian military factions and resistance. Examination of these, among other suggested areas of research, is therefore extremely important both for the EU and for the Palestinians, particularly Hamas.

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