

NO TRUMPETS, NO DRUMS

*A Two-State Settlement of the
Israeli-Palestinian Conflict*

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HILL and WANG

New York

A division of Farrar, Straus & Giroux

Addendum: The Building Blocks of a Palestinian State

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A Palestinian state is not a theoretical project. It is already very much a partial reality. Objectively, this reality is manifest in the historical experience of self-administration by the Palestinians, especially in the occupied territories. Subjectively, it has especially become manifest through the experience of the intifada, highlighted by the Palestinian Declaration of Independence of November 1988. More than anything else, the intifada transformed the objective experience of self-administration into a consciously articulated national strategy for achieving independence: it is as if a history of vertical institution building had reached the point where further growth could only be achieved through spreading out horizontally, weaving the structure of self-government and self-determination.

In the West Bank, the Jordanian government in essence provided a horizontal "roof" for Palestinian self-administration through the years 1949–67. Palestinians practiced self-administration—i.e., administered

their affairs as individuals—in all walks of life under the ultimate authority of the Jordanian Cabinet. Municipal affairs were conducted by locally elected municipal councils, government departments were manned by Palestinian personnel, and a network of institutionalized charity and voluntary organizations attended to those areas of population needs that could not be formally run by government departments. At this minimal level, a parallel situation existed in Gaza. However, due to the political “Jordanization” of the West Bank, Palestinians there also had access to further political rights within the Jordanian system, whether as members of Parliament or of the Cabinet itself. Thus, while the Palestinians did not practice national self-administration or self-determination, they nevertheless administered their own affairs within the context of the Jordanian political system. Jerusalem’s political uniqueness was preserved through the special respect accorded by Palestinians as a whole to its Palestinian governor, whose authority (as distinct from that of the mayor) extended over a governorate which included Jericho in the East and reached almost to Nablus in the north and Hebron in the south.

Following the June 1967 war, this roof was partially replaced by the Israeli military authority. Palestinian personnel in the various Jordanian government departments (health, education, social welfare, etc.) simply came under the control of the Israeli military governor (later the head of the “civil administration”). Over the years, this administrative body underwent a natural process of growth, with the number of employees reaching approximately 25,000. Simultaneously, and because of the absence of an indigenous penultimate authority, the sector of voluntary associations and so-

cieties in public services also grew in response to the expanding needs of the population. Attention was concentrated on social welfare, preschool and post-high-school education, illiteracy, and health. However, the characteristic feature of this process of self-initiated and voluntary institution building was its "vertical" orientation. Nominally, all the registered societies which operated services ranging from universities to hospitals came under the single roof of a Federation of Charitable Societies. Actually, only a minimum degree of coordination existed. Professional unions were joined in a single federation, but this federation never envisaged, let alone implemented, a master development plan. A Higher Council of Education was established, but it was not empowered to institute an education-development master plan. At another level, a network of voluntary committees (e.g., health services) also mushroomed, but again the orientation was vertical rather than horizontal. This notwithstanding, therefore, it could be said that the self-administration component of a Palestinian state structure has been in existence for at least forty years, and the only basic element which was absent throughout these years has been a Palestinian roof, or government.

Soon after the intifada broke out in December 1987, the underground leadership of the uprising outlined its "battlefield" strategy as consisting of two complementary aims: to dismantle the Israeli network of administrative authority and to construct an alternative national authority, in preparation for a declaration of independence. Apart from anything else which it caused, or which it reflected, the intifada was also a revolution in mass consciousness, underlining the need for embodying the idea of self-determination in tangible structures in reality. The Jordanian decision in mid-

1988 to "disengage" legally and administratively from the West Bank acted as a further catalyst in this direction. Already, a wide-ranging grass-roots movement of popular committees was mushrooming throughout the occupied territories, reinforcing an already existing structure of voluntary work committees and institutions. The predominant orientation of this new construction, however, was still vertical. Even so, giant steps were taken in the process of state building. The Palestinian Declaration of Independence of November 1988 was regarded in one sense as an explicit national statement of intent: to work further toward establishing a government in Palestine and to conclude peace with Israel. The year 1990 witnessed a conscious national effort at weaving "horizontal structures." The Higher Council of Education was revitalized, higher councils in the labor and student sectors were established, a federation of women's committees was organized, and further efforts were being made in other sectors, including agriculture and industry. Within the PLO leadership, efforts were also being made to draw up a master economic development plan to make full use of international economic aid and to encourage the process of state building or "institutionalization" of the intifada. In this regard, it is not inconceivable that the stage will soon be reached when the PLO leadership, which has endorsed the principle of establishing a provisional government bureaucracy or structure, will indeed take the step of declaring the establishment of such a government. In so doing, it will simply be putting the already existing jigsaw pieces of bureaucracy together—the legal and religious institutions, the chambers of commerce and industry, the municipal and village councils, the civil administration work force, the clinics and

hospitals, the schools and universities, the federations of societies and unions, the voluntary committees, and so forth. Indeed, when a government is finally established, it will find a fully equipped work force made up of both local Palestinians and returnees, from pilots to radio and television station technicians (many of whom are currently manning the bureaucracies of other Arab governments).

In terms of its political constitution, the Palestinian state will in all likelihood be fashioned in accordance with the main principles embodied in the Palestinian Declaration of Independence, endorsed by the Palestine National Council (PNC) in November 1988. The declaration states that "the state of Palestine is for Palestinians wherever they may be, in which they may be able to develop their national and cultural character, to enjoy complete equality in rights, to have their religious and political beliefs as well as their dignity protected, within the framework of a parliamentary democratic system which is based on the principles of freedom of expression, the freedom of party formation, the guarantee of the rights of the minority and the respect for the decisions of the majority, on social justice and equality, and on nondiscrimination in public rights on the basis of race, religion, or sex, and in accordance with a constitution that will guarantee the sovereignty of law and an independent judiciary system, and on the basis of a total recognition of Palestine's spiritual and cultural heritage, and the principle of tolerance and coexistence among religions."

In accordance with these principles, one assumes that the government of Palestine will establish, as in other democracies, a constitutional model that will ensure the independence from the executive of the judicial and

legislative branches of government. One of the primary tasks of the legislative branch would have to be to weave the principles of the Palestinian Declaration of Independence into a constitution that will once and for all repeal the British Mandatory Emergency Laws (which have been a nightmare for Palestinians ever since their enactment in 1945) and guarantee the rights of individuals, including the basic right of free expression. The constitution should also guarantee public rights, and perhaps a special provision could be incorporated which would require the holding of a referendum on such major national issues as the decision to become confederated with other states. As for the judicial system, it would be well if, among other provisions, the practice of "trial by jury" is enacted as law. This would serve several purposes at once. It would ensure that the legal system is not the province solely of an "expert sector" of society, it would encourage a formalized extension of existing traditional practices of community involvement in the adjudication of conflicts and disagreements, it would serve as a useful educational mechanism for involvement in communal and democratic decision-making processes, and it would encourage the development of a sense of responsibility toward the state. Otherwise, the system of civil law which is already in existence and which has its twin part in the kingdom of Jordan can be applied.

Concerning the executive branch of government, and drawing on the experience of other democracies, it would be advisable if there were to be direct national presidential elections, held every five or six years. These elections will ensure for the chief executive of the state the tipping balance in political decisions which have a national character. On the other hand, bearing in mind

the regional affinities of the population, it would be advisable to divide the state into five electoral departments, a northern department centered in Nablus, a central department in East Jerusalem, a southern department in Hebron, and departments in Gaza and in Khan Yunis or Rafah. Elections for parliamentary representatives can then be held on a regional basis, perhaps once every four years, with each department sending a number of representatives proportional to the size of its population to the House of Representatives. While parties may form coalitions, it would be the individuals themselves who would be elected in their respective departments and who would be directly answerable to their constituents. Governments can then be formed by any party or coalition of parties that has a majority of representatives. Bylaws can be enacted to define the powers of the President and the Cabinet. The aim should be to strike a balance between these two branches of the executive, ensuring a predominant weight in the decision-making process for the Cabinet in regional matters (e.g., budgets for development plans) and for the President in national matters (e.g., external relations). The system of referendums can ensure that ultimate direct sovereignty rests with the people themselves. Thus, the system would benefit from the most positive combination of the various types of Western democracies.

It is natural to assume that parties which will be formed in the Palestinian state will be historically affiliated with those factions within the PLO structure that will wish to participate in the process of state building. However, it is also natural to assume that party platforms must conform to the general principles and foundation agreements on which the state is based. Therefore, each

party's competitive distinctiveness must have to do with its economic and social vision for construction rather than with irredentist ideological rhetoric. In this context, the regionalization of elections will go a long way toward ensuring that the system will address tangible development needs. Both the representatives themselves and the central functions of the representative government will be directed toward the fulfillment of the regional needs of the electorate.

The main immediate task for the Palestinian government should be construction, rehabilitation, and economic development. Twenty-eight refugee camps spread throughout the West Bank and Gaza should be replaced by townships and extended suburbs. Urban construction should also be addressed to the expanding housing needs of the existing population as well as Palestinian returnees. Planning for the latter should be based on a conservative estimate of 1.5 million individuals. Obviously, the implementation of an urban rehabilitation program will have to take place in stages, and the absorption of returnees will have to be worked out over a period of time, perhaps three to five years. Urban rehabilitation will involve housing as well as associated infrastructure. In Gaza, the density of the population and the limited size of the area would make the construction of high-rise apartments the preferable course, whereas in the West Bank several options would be available, including the establishment of new townships, especially in the outlying areas. These new townships will require major infrastructure work, including roads, water systems, electricity, telecommunications, etc. Palestinian development planning experts estimate that infrastructural expansion in existing residential areas

can accommodate the absorption of approximately 750,000 individuals, while it is possible to establish at least three new towns in areas which are already agriculturally developed (in the northern Jordan Valley, the Jenin and Hebron areas) which would absorb a further 200,000 individuals. A positive by-product of this expansion, including the possible construction of residential facilities in outlying areas, would be to make unutilized land more accessible and therefore more easily available for reclamation. Local Palestinian agricultural engineers estimate that, if the land confiscation measures over the past twenty-three years are rendered null and void, it is possible to double the area that can be agriculturally utilized. This expansion of the cultivated area notwithstanding, experts estimate that sufficient land would still be available for a major urban development program. However, strict measures should be taken to ensure that such development does not harm the environment. Needless to say, the work on construction (urban and infrastructural) and on land reclamation (during and after) would create thousands of new jobs (at both the labor and professional/technician levels). A redesign of the road transportation system (to account for major highway corridors, especially linking northern and southern areas) would involve the construction of approximately 2,900 kilometers, an increase of 41 percent over the existing system. This would include, according to local engineering and planning experts, a major highway running into Gaza from northern Sinai, which could then cross Israeli territory as far as Idnab in the West Bank, continue along a ring road around Jerusalem, and head eastward into Jordan. A transitional expressway such as this would facilitate

economic linkages among Egypt, Israel, Palestine, and Jordan, and all these countries can jointly invest in its construction.

In addition to having to concentrate on the immediate urban-development needs and rehabilitation, the Palestinian government should also define as another priority target the establishment of a "welfare" structure, as well as a social rehabilitation program: health and national insurance schemes, labor-protection laws and retirement benefits, educational opportunities, and so forth. From historical experience, it would seem advisable that the state not interfere with the economy except to the extent that it ensures an acceptable minimum level of welfare for its citizens. Bearing in mind the expected psychological upheaval associated with major demographic and political changes, the government must also devote special attention to social-welfare and social-guidance work and to child welfare. At all events, a top priority for the state leadership will be to attend to the needs and requirements of a historically underprivileged and deprived community, especially the refugee population both inside and outside the area. Among other things, this will also mean having to develop the appropriate educational rehabilitation and technical training system to synchronize work-force supply and demand in the manner that is most conducive to economic growth and the national interest.

Economically speaking, the Palestinian state's main resource will be its human reservoir of skilled laborers and technicians, its professionals and its educated population. While existing economic figures and statistics do not reflect accurately what the picture will look like once the state is established and major demographic changes begin to take place, yet such figures may be

helpful, and they may in some areas be typical. Of a total population of approximately 1.6 million individuals in the West Bank (including East Jerusalem) and Gaza, nearly 50 percent are under fourteen years of age, portending a major productive potential. The school population alone stands at nearly 500,000. Almost 300,000 Palestinians are registered employees (more than half of whom are laborers, of which more than half again are employed in or by Israel, mostly in construction). These figures include employees in other sectors, as well as almost 42,000 who are registered as agricultural employees. However, nearly 80,000 Palestinians are working in the agricultural sector, many of whom are farmers, and nearly 50 percent of whom in the West Bank are small farmers who have less than twenty dunams. The agricultural sector accounts for nearly 35 percent of the gross national product, while the industrial sector (primarily because of restrictions) has not grown beyond the 7 percent of GNP which it contributed before 1967. According to a recent study by economic experts, it is estimated that in the context of a peace scenario, the growth rate of the gross national product of the West Bank/Gaza region (which has declined since 1979) will reach the 6 percent level. However, this estimate is based on population calculations that do not take into account returnees or realistic development plans, including plans to develop the industrial sector, which these economic experts admit has "lagged behind." Generally speaking, however, these experts estimate that in the context of a peace scenario, investment will increase by as much as 50 to 100 percent in the various countries in the region. Thus, even in the context of a peace scenario that does not account for the establishment of an independent Palestinian

state, or even an Israeli withdrawal (if such a scenario is at all realistic in the first place), these experts estimate that the GNP in the West Bank/Gaza region could have reached as much as \$2,650 million (from an estimated \$1,480 million in 1982) if investments had increased from \$315 million in 1982 to \$650 million in 1992.

Palestinian economic experts, on the other hand, have even brighter predictions. Hypothesizing the existence of a state, George Abed in a recently published paper, "The Economic Viability of a Palestinian State," estimates a GNP of \$3,500 million (in 1990 prices), accounting for the repatriation of approximately 750,000 returnees and external aid for their rehabilitation. Abed also points out that the share of industry in the gross national product should increase from its present level of 7 percent to what he calls "a more normal" 30 to 35 percent (a variable which is absent in the previously cited economic study). Speaking generally, the economy can be developed in the industrial (e.g., science and technology, cottage industries, etc.) as well as in the services sectors (e.g., tourism and financial services). According to Abed's calculations, a comprehensive development plan (encompassing the construction of the required physical and social infrastructure) will cost about \$13 billion (in 1990 prices). If one also includes the investments needed to raise productivity in the industrial, agricultural, agro-industrial, and services sectors, a grand total of \$23 billion will be required over an extended period (e.g., ten years), of which the share of the public sector in the same period could reach \$12 billion, mostly generated from the services of the infrastructural facilities themselves.

The Abed study also addresses the structural question of how the Palestinian state's economy will be designed.

In his view, and taking into account the experience of the Palestinians themselves as well as the developments in the socialist world at large, it is reasonable to expect that Palestinians will favor an economic system "that allows a dominant role for the private sector, where the price mechanism is the primary instrument for the allocation of resources, where fiscal and regulatory policies are designed to ensure adequate incentives while mitigating the maldistribution of income and wealth, and where the exchange and trade system is virtually free of controls." However, one must not ignore economic policies and ideas that may be derived from indigenous Islamic principles, especially those that address the welfare and taxation systems. In any case, the essential balance to achieve in any successful system is that which minimizes state control while ensuring a reasonable growth rate, efficiency, and an acceptable level of welfare and living standards. One way to bypass state bureaucracy while preserving control may be through a system of independent public authorities which are organized within the law but fall outside the direct influence of the state apparatus. These can be utilized for the provision of certain facilities (e.g., electricity, telecommunications, transportation, etc.).

An independent Palestinian state, however, should not and cannot be an isolated entity in the region. To be an independent state does not mean to be an economically self-sufficient state, or a hermetically sealed state, and indeed many if not most existing states are not economically self-sufficient, nor can they be socially or culturally self-sustaining. On the contrary, Palestine should seek to integrate itself with neighboring countries, joining with them in the regional venture to make the best use of existing resources and economic poten-

tials. The very existence of Palestine should serve as a stabilizing factor in the region, facilitating economic growth and prosperity. The fact that Palestinians who are currently dispersed in the Arab world, dispossessed, disenfranchised, and desperate, can finally converge together in a country that they know to be their own, where they can enjoy the political rights due to a human being, and where they can exert themselves constructively in building together a common future for themselves—all this will defuse political tension in the Arab world, whether by Palestinians themselves or purportedly on their behalf. Economic prosperity, both in Palestine and in the region as a whole, will further reduce tensions. But if Palestine is to be a catalyst for peace and prosperity in the region, it must first be free. Once independent and free, Palestine can then work to be a partner to all those nations and states that strive to create a better and safer world.

