



Beyond Sterile Negotiations: Looking for a Leadership with a Strategy

By: Noura Erakat · February, 2012

Given the abject failure of the Palestine Liberation Organization to secure Palestinian rights over the decades since it was established, it is long past time to explore how a national liberation strategy can be elaborated and by whom. In this policy brief, Al-Shabaka Policy Advisor Noura Erakat examines the political leadership vacuum left by the Oslo Accords and then discusses the role of the Palestinian diaspora in the creation of numerous transnational networks that have attempted to fill the void of authoritative leadership. She then discusses the role of the Boycott National Committee and the strategy of using boycott, divestment, and sanctions as a human rights-based approach without a political program. Erakat also draws on lessons from the South African experience and addresses the dangers of achieving reconciliation without revolutionary solutions.

In search of Palestinian leadership: The collapse of the PLO and the PA

The Palestinian leadership briefly returned to the weathered tables of diplomatic niceties to negotiate a path to negotiations. The return signaled an alarming regression from the confrontational stance the leadership made in September 2011, when it took its case to the United Nations. Then, notably buoyed by



President Mahmoud Abbas's liberation message to the global community, Palestinians thought it possible that the leadership would remove its self-determination struggle from the sterile confines of bilateral negotiations and place it on an international stage. In the event, the Palestine Liberation Organization (PLO) decision to resume negotiations for a while dashed any hope that the Palestinian leadership has a strategic vision for national liberation. During the 18 years of the 'peace process' the settler population has more than doubled, the Jordan Valley has been all but declared a closed military zone, the Annexation Wall has expropriated 12 percent of the West Bank, with 62 percent of the West Bank beyond Palestinian control, the Gaza Strip has been reduced to destitution under the heavy-handedness of war and an ongoing blockade, and the ethnic cleansing of Jerusalem has dramatically accelerated. In these circumstances, any return to negotiations, however brief, can neither be justified nor forgiven. Absent a Palestinian national liberation strategy, negotiations are counterproductive to Palestinian national interests.

The Palestinian Authority's (PA) electoral mandate of the West Bank's 2.5 million Palestinians has long expired and, even were it in force, the PA "represents" only a quarter of the global Palestinian population. Thus, it may be fair to ask whether some other body can responsibly develop a national liberation strategy that will be more representative than what the PA/PLO has been able to offer for more than two decades, and if so, what its goals should be.

The lack of a political program representing Palestinian national aspirations follows the steady erosion of the PLO in the aftermath of the Oslo Accords. In his unpublished paper, "The Rise and Fall of the PLO: A History of the Palestine Liberation Organization," Seif Da'na writes, "The Oslo agreement prepared the grounds for the demise of the PLO, both as a structure and program, initiating a conflict inside the PLO between the bureaucrats interlinked with the new ruling class, and figures professing PLO ideals and liberation and independence. This



inevitable rivalry intensified as the Palestinian Authority has gradually replaced the PLO as a political structure and the nature of the Palestinian question was significantly redefined."

The tensions between the aims and structure of the PA with those of the PLO has sharpened with Hamas's electoral victory in January 2006, and again, when the PA, under the auspices of the PLO, approached the United Nations in its bid for to become a member state.

In immediate response to Hamas's legislative victory, the US, Israel, and the European Union imposed sanctions on the PA, having already declared Hamas a "[terrorist organization](#)." This exacerbated tensions between Fatah, the once-dominant secular political party led by late PLO Chairman Yasser Arafat, and the PA. Tensions reached their apex, when Hamas routed Fatah from Gaza in June 2007, in what can be described as a [preemptive coup](#), which resulted in a politically and geographically bifurcated Palestinian government. Thereafter, the US and Israel resumed their [financial and diplomatic support](#) of the Fatah-dominated PA thereby affording Fatah considerable influence over the official Palestinian political agenda.

Mired in an internecine conflict, Palestinian leaders dedicated more effort to asserting their [control](#) over the Occupied Territory, than they did to combatting settler-colonial occupation or apartheid. Neither Hamas nor Fatah, nor their short-lived government of national unity has ever represented the entirety of the Palestinian nation. The conflict has led friends and foes alike to ask, "who speaks for Palestinians?"

Palestinians asked this question again in the lead-up to September 2011, when the PA/PLO applied for membership in the UN. Since 1974, the PLO, which likes to remind the world that it is the "sole and legitimate representative of the Palestinian people", has had observer status at the UN, when the UN General



Assembly passed resolution 3236. The statehood bid raised concerns that if the UN granted Palestine membership, the PA, which only represents the Occupied Palestinian Territory (OPT), would [supplant the PLO](#) as the Palestinian representative body to the global community. Palestinians living in the Diaspora feared that they would be excluded from Palestinian national representation altogether. The threat of such exclusion prompted many Palestinians in the Diaspora to reject the statehood bid in unequivocal terms.

The Rise of the BNC and Diaspora Networks

In the wake of the 2005 [Palestinian Civil Society Call](#) for boycott, divestment, and sanctions (BDS), endorsed by over 170 civil society organizations, the BDS National Committee (BNC) emerged to lead the global movement that was coalescing against the need to respond with non-violent economic measures to Israel's violations of international law. In addition to representatives of civil society organizations, the BNC now includes representation of Palestinian political forces in the form of the Coalition of National and Islamic Forces. By providing a central Palestinian reference point and authoritative guidance to global solidarity, the BNC has partially filled a void left by the disappearance of a once commanding PLO, even though it has no claims to do so.

In addition, the 2005 BDS Call grounded Palestinian self-determination within the universal frame of international law and human rights norms, based on three demands: ending the occupation and colonization of all Arab lands, full equality for Israel's Arab-Palestinian citizens, and the right of return of Palestinian refugees. It did not, however, offer a political vision or program. Omar Barghouti, a founding member of the BDS movement and the BNC, explains, "The BNC does not take sides in the one-state v. two-state solution debate among Palestinians." Indeed, the three rights-based demands enshrined in the BDS call are necessary but not sufficient for the achievement of national self-determination. In addition, they do



not correspond to a particular political program among Palestinians.

By contrast, the [US Palestinian Community Network](#) (USPCN), a non-sectarian network of Palestinians living in North America, emerged in 2006 in an effort to provide representative and accountable leadership for Diaspora Palestinians and Arabs in the US in response to their exclusion from the PA/PLO. Andrew Dalack, a leading member, explains that the “USPCN [responds] to a need from the Palestinian national body by providing a vehicle through which Palestinians in the Diaspora can exert influence over their own self-determination and Palestine’s future.” In response to the statehood bid, the USPCN called on allies to “reject fully and unequivocally the Statehood initiative as a distraction that unjustifiably and irresponsibly endangers Palestinian rights and [institutions](#).”

Similarly, the Palestinian Youth Movement (PYM), a grassroots movement of young Palestinians in Palestine as well as in some 11 other countries in the Arab World, Europe, and North America adopted a political program from the start. Loubna Qatami, PYM’s International General Coordinator, explains: “From the early days of PYM’s formation...we knew we were trying to fill a void, a political vacuum that no present body or solution was seemingly addressing...” The PYM opposed the statehood bid and chastised the PA/PLO of “misusing and exploiting the resistance and sacrifices of the Palestinian people, particularly [those] in Gaza, and even hijacking the grassroots international solidarity work...[the bid] only serves to squander all efforts made to isolate the colonial regime and hold it accountable.”

Like the USPCN and the PYM, the BNC has also tried to fill a political void. Unlike these other organizations, however, the BNC does not seek to represent the collective will of the Palestinian national body, but instead to establish a trustworthy reference for international solidarity. Though it distinguishes itself from Diaspora and transnational networks, the BNC also strongly criticized the statehood bid declaring it “insufficient” and urged “people of conscience and



international solidarity groups to proceed with building a mass BDS movement in the US and elsewhere in the world's most powerful countries before and after September."

The BNC presently comes the closest of all these organizations in the Diaspora to representing comprehensive national interests. However, it has steadfastly refused to fulfill a political mandate. Barghouti insists "[t]he BNC is not, and does not, aspire to become an alternative political body. The political leadership of the Palestinian people must remain within the structures of the PLO..." However, because the BNC only seeks to be an authoritative reference with regard to BDS, the tactic, and the lexicon that surrounds it, has often been mistaken for a national liberation strategy.

The BNC position raises two primary challenges for the Palestinian body politic. First, because the BNC does not claim a representational mandate equivalent to that of the Palestinian Liberation Organization, this creates confusion among solidarity groups who can consequently adopt a call for human rights, but without being held accountable to a political program. Second, in the absence of a national liberation strategy, BDS's major successes can only expand the call for rights; they cannot achieve Palestinian self-determination.

Qutami highlights the danger of conflating BDS as a strategic tactic with the purpose of the movement itself. She attributes this risk to the lack of a broader national strategy, "There is no base, no project, no trajectory, no collective conviction and strategy to ensure the continued sense of accountability to the movement."

Human rights without a political program

In short, the pressing questions regarding representation and a strategy for national liberation remain to be answered by Palestinians the world over. A few of



those questions could include:

1. Should Palestinians go so far as to support annexation of the OPT in order to usher in an era of struggle for equality within a singular territory and legal regime?
2. Should settlements be racially integrated or completely demolished?
3. Will the amendment of Israeli laws ensuring equality ever suffice to change its character from Jewish to secular?
4. Should Palestinian citizens of Israel focus on an equality struggle or should they articulate a comprehensive frame to combat ethnic cleansing within Israel Proper as well as the OPT?
5. What is the role of the PA, as an outcome of Oslo, if any? Should it be boycotted, dismantled, or leveraged as recently suggested by PLO Executive Committee member [Hanan Ashrawi](#)?
6. What type of economy should Palestinians advocate for?
7. With which states and international movements should Palestinians ally for economic, political, and security support?
8. What is the role of armed resistance? If it is still salient, how does it relate to non-violent direct action?

It is interesting to note that, in 2011, the PYM removed the language of a rights-based approach from its charter, because, according to a consensus among its members, it made them lose sight of the need for a direct grassroots mobilization among Palestinian communities. A similar approach inspired the [Freedom Riders](#) action, when a group of independent Palestinian activists defiantly boarded settler buses bound for East Jerusalem to demonstrate against the insidious nature of Israel's institutionalized segregation of public and private spatial territories. The action drew international attention and praise for highlighting Israel's apartheid system. It also drew controversy among Palestinians who mistakenly read it as a



demand to end segregation amongst settlements and their exclusionary transportation systems rather than to liberate the lands upon which they sprawl. The controversy sparked a [healthy discussion](#) amongst Palestinians about the limitations of a human rights language. Both approaches speak to the tension between a rights-based approach and a political program clearly aimed at achieving self-determination and national liberation.

Despite these internal Palestinian tensions, a rights-based approach remains a salient reference for international solidarity activists. Hannah Mermelstein, a leading member of Adalah-NY and a longtime human rights activist, notes “Not every Palestinian person on the street is necessarily active in BDS, but it is a platform that very few Palestinians would disagree with. It’s a bottom line, a set of rights, a framework, and to me that is just as important as the tactic itself.” Though the BNC’s rights-based approach may arguably represent a common denominator amongst Palestinians, the lack of a political program that it can advance structurally limits its ability to achieve self-determination.

Lessons learned from South Africa

Does the experience of struggle against apartheid rule South Africa offer a way beyond the tensions between a human rights-based approach and a political program for national liberation? There are of course differences between the Palestinian and Apartheid South African cases. For example, the call to boycott Apartheid South Africa was made by African states in 1961 and adopted by the UN General Assembly adopted in 1962 (Resolution 1761.) By contrast, the 2005 BDS Call was made by a large coalition of Palestinian civil society associations and networks, was only partially endorsed by the Palestinian Authority, and has not been embraced by any Arab regimes, let alone by the UN General Assembly.

And yet, despite its apparent cohesion, the South African boycott movement also suffered from internal divisiveness. Bill Fletcher Jr., scholar and past President of



the TransAfrica Forum, notes that although the African National Congress (ANC) was the most widely known South African political party in the United States, other parties included the Pan-African Congress (PAC) and Azania People's Movement (Azapo). Each party represented distinct movements influenced by international and domestic politics. As in the case of Palestine, international solidarity had many choices for an authoritative reference. Unlike the case of Palestine, however, Fletcher explains, "solidarity was very broad and there was never a need to pick sides, to choose which organization to ally with." Instead, solidarity activists committed themselves to end Apartheid, although, as Fletcher notes, "no one was quite sure what the end of Apartheid would mean." Despite lacking a shared political vision, solidarity activists agreed that victory would include Black majority rule, an end to segregation, land redistribution, and the release of all political prisoners.

The challenge to the South African call for boycott did not emerge from internecine tension but instead from African-American led solidarity efforts. In particular, forces that opposed the radical call for boycott coalesced around the Sullivan Principles, drafted by Reverend Leon Sullivan. Despite their celebrated legacy, Sullivan's "blueprint for ending [apartheid](#)" was a "distraction" as Fletcher puts it: "Sullivan was aiming to delegitimize the ANC and the PAC...the people that advocated the Sullivan Principles were opposed to the BDS forces in the US and the revolutionary forces in South Africa."

Barghouti points to similar struggles within the BDS movement against Israel where, "some soft Zionist groups have tried at various stages, sometimes desperately, to dilute the demands of the BDS call, limiting them to ending the 1967 occupation, and, in conjunction, to obscure the Palestinian reference of the global BDS movement, but their efforts were decisively aborted." Although these "soft Zionist" attempts clearly have their own political agenda, they also highlight the problem of the absence of a political program, and the dependence on a



rights-based approach. In this context, activists can, and are often encouraged to express their support for human rights irrespective of the political will of the people they claim to support.

Non-revolutionary political solutions

The possibility that rights could be attained without achieving a revolutionary solution also loomed as a threat for the South African anti-apartheid movement. Fletcher notes that although activists recognized that the African-American struggle for equality was addressed legislatively and without a revolutionary solution, "It was common for people to assume that because the ANC and the PAC had armies.... that of course there would be a sweeping away [of repressive systems]."

Of course today, people's movements with armies are marginalized as terrorist organizations. In any case, the potential for revolutionary transformation will arguably have to emerge from a political, economic, social, and civic platform. The most pressing challenge at this juncture is to decide who will engender this platform, and how they will do it, and to define the scope of its geographic reach, and the salience of its political representation.

To this end, the movement to revitalize the Palestinian National Council (PNC) may prove significant. Following Al Jazeera's release of the infamous "Palestine Papers," Palestinians from Lebanon, Britain, the US, the Occupied Territories, and within Israel demanded more [accountable political leadership](#). The resuscitation of the PNC stood out among this decentralized movement's demands. That demand has since crystallized into a global, coordinated movement to first [register Palestinians](#) by October 2012, and then to hold elections for the PNC. Even after registration is complete, and assuming that PNC elections are accepted as legitimate by an identifiable Palestinian national body, the "what next" question will continue to loom large.



Nour Joudah, a DC-based graduate student and Palestinian activist, notes that these questions are more likely to be answered in practice than in meeting rooms. She comments, “we are going to work from all sides – BDS, protests, international solidarity press and public relations. And through all this, we will continue to have the conversation of ‘what next?’ in a state of limbo with a political leadership seemingly uncommitted to resistance.”

Joudah’s response appears closest to the South African model for revolutionary transformation: to work on all fronts while addressing the core question of a national liberation strategy and the leadership necessary for its achievement. The Palestinian political arena currently encompasses a non-representative political body that claims leadership in international circles (the PA/PLO), a powerful civil society movement that seeks Palestinian rights without claiming representation or a political program (the BNC), smaller but growing Diaspora groupings that do seek political representation (the USPCN and PYM), and a budding effort to seek national representation through universal elections to the PNC. In this context, the most effective strategy does seem to be to struggle for rights while working on a political program and engendering a representative leadership, especially at a time when an increasingly sympathetic world is gradually expanding its support for the Palestinians’ national aspirations.

Noura Erakat is a Palestinian attorney and human rights advocate. She is currently an adjunct professor of international human rights law in the Middle East at Georgetown University. Most recently she served as Legal Counsel for a Congressional Subcommittee in the House of Representatives and as an advisor on Middle East affairs for Congressman Dennis Kucinich. Noura comments regularly on US foreign policy and international law matters. She has appeared on Al Jazeera International, NBC’s “Politically Incorrect,” and Fox’s “The O’Reilly Factor.” Her writings have appeared in The Huffington Post, Berkeley Law School’s Journal for Middle East and Islamic Law, Counterpunch, Al-Majdal, and the Middle East Research and Information Project (MERIP).



Al-Shabaka: The Palestinian Policy Network, is an independent, non-profit organization. Al-Shabaka convenes a multidisciplinary, global network of Palestinian analysts to produce critical policy analysis and collectively imagine a new policymaking paradigm for Palestine and Palestinians worldwide.

Al-Shabaka materials may be circulated with due attribution to Al-Shabaka: The Palestinian Policy Network. The opinion of individual members of Al-Shabaka's policy network do not necessarily reflect the views of the organization as a whole.