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Statehood Stalled: Next Steps for the Palestinian People

By: Nadia Hijab · September, 2011

Palestine Liberation Organization (PLO) chairman and president of the Palestinian Authority (PA) Mahmoud Abbas could have gone to the United Nations General Assembly for observer state membership, which only needs a simple majority vote that the PLO has already guaranteed. However, he chose to go to the Security Council with an application for full UN membership for Palestine, even though that application may languish in committee for weeks or months.

Some reports speak of a backroom deal to do just that. Whether or not this was the case, Abbas has bought time for the PA without losing face or U.S. aid, and was able to give a much-applauded speech at the UN. The United States has also bought some time and does not immediately have to use its veto.

The decision to go to the Security Council has also bought time for a third party – the Palestinian people – that could have unintended consequences for both the U.S. and the PLO/PA as well as for Israel.

Unintended Consequences

What are those unintended consequences? The PLO/PA statehood bid galvanized several segments of the Palestinian people into making public their disagreement with and disapproval of PLO/PA mismanagement, over more than two decades, of the Palestinian quest for self-determination and human rights.

Public positions were set out by the Palestinian Boycott Divestment and Sanctions National Committee (BNC), which has extensive and growing international support, the Stop the Wall Campaign, Palestinian writers and intellectuals in the occupied Palestinian territories and beyond, the Palestinian Youth Movement (PYM), and the US Palestinian Community Network (USPCN).

These statements forcefully reaffirmed the basic tenets of the Palestinian struggle, including the status of the PLO as the sole, legitimate representative of the Palestinian people and the Palestinians' inalienable rights. In effect, they challenged the present leadership's claim to represent the Palestinian people. Moreover, the BNC, PYM, and USPCN statements were crafted through democratic processes that put into practice the very principles the Palestinians want to see established in the PLO.

The legal opinion issued by Oxford University Senior Research Fellow Guy Goodwin-Gill regarding the dangers of the statehood bid for the Palestinian refugees' right of return was in fact commissioned by a former PLO official – his colleague at Oxford University, Dr. Karma Nabulsi. It opened up the debate and brought the question of representation to the fore, galvanizing Palestinian grassroots networks that were until then unaware of the technical legal issues.

Indeed, the PLO/PA statehood bid has also added strength and urgency to the Palestinian voices demanding accountability and democratic representation since the Arab uprisings. There are moves underway in Palestinian communities in Europe, America, and the Arab region to demand elections to and reconvening of the Palestinian National Council (the Palestinian parliament in exile, which elects the PLO's Executive Committee.)

A third consequence is the shift away from the cozy trilateral negotiations that marked the peace process since the first Oslo agreement was signed in 1993. Washington's management of the process enabled Israel to continue its

colonization unchecked, while the Palestinians were bullied, through diplomatic and financial pressure, to stay at the table.

The internationalization of the conflict could prove the statehood bid's most significant result. As Mouin Rabbani, a Senior Fellow at the Institute for Palestine Studies and an Al-Shabaka policy advisor told Al Jazeera, "It is an essential first step towards irrevocably removing the question of Palestine from the Oslo framework and putting it back with the international community."

He underscored that this should be part of a "strategic transformation" grounded in a Palestinian national consensus rather than a tactical maneuver. In fact, a multilateral approach to the conflict would be no better than a U.S. stranglehold unless the sources of power of the Palestinian national movement are reinforced, including civil resistance, BDS, and reframing the discourse around Palestinian rights.

Taking Advantage of the Moment

What then can Palestinians do to take advantage of this moment and ensure a "strategic transformation" so that the resolution of the conflict results in self-determination, freedom from occupation, justice for the refugees, and equality for the Palestinian citizens of Israel?

The first and most important step is to save the land of Palestine. This applies of course to the land that has been under Israeli military occupation and colonization since 1967, particularly East Jerusalem, the land of villages affected by Israel's Separation Wall, and the Jordan Valley. But it also applies to Palestinian land within the state of Israel, including in the Negev, where Bedouin are currently threatened with dispossession, in the Galilee, which is under constant threat on account of Israel's repeated efforts to "Judaize" the region, and in the so-called mixed towns within the Green Line.

The popular struggle committees in the West Bank have had some success in stopping Israel's encroachments on their villages. Unfortunately, the UN bid has diverted attention from these civil resistance campaigns. Palestinians in the Diaspora need to sustain efforts to support, give voice to, and uphold that civil resistance wherever it occurs. There are some Israeli, American, and European Jewish allies who work within a human rights framework who are and can help in this sphere.

A second major move should be to press for accountability. Palestinian alienation from their national institutions, including the PLO/PA, is not as comprehensive as it is elsewhere in the Arab world. Many of the people who staff these two bodies are relatives, friends, and long-time comrades of those now opposing the system, making it harder to call for a clean break. In addition, these institutions have a larger reservoir of historical legitimacy, and even current popular constituencies, than has been the case compared to many Arab regimes.

Moreover, the PA payroll sustains more than a third of the population of the West Bank and much of Gaza. It would be irresponsible to demand that people be prepared to live in penury, as recently happened at a Palestinian demonstration in the U.S. whose organizing statement blithely urged the firing of all PA employees. On the contrary, Palestinians in the Diaspora and the Palestine solidarity movement should seek ways to sustain local economies, education, and fulfillment of Palestinian potential, even under occupation.

Nonetheless, the Palestinians should press for accountability, for representation, and for respect of their basic human rights by both the government dominated by Hamas in Gaza and that of Fatah in the West Bank. This is also the time to expose and push for an end to PA security collaboration with the occupying Israeli forces.

And the PA, should it continue to exist (Abbas warned in his September 23 speech that it might be pushed to the point of collapse), should be restored to the

originally envisaged function of an interim administrative apparatus reporting to the PLO rather than subsuming it.

Concurrently, Palestinians must redouble their efforts for democratic representation in order to ensure the realization of self-determination and inalienable rights. The challenge is to limit the PLO/PA's freedom of maneuver within clear, nationalist parameters in the meantime. The Palestinian people are rich in expertise and experience, in eloquent advocates and strategic thinkers, and they must be represented in and lead Palestinian national institutions. Discussions and strategies on how to do so should quickly reach a conclusion on practical mechanisms so as to reclaim the leadership of the entire Palestinian people.

Finally, it is long past time to forcefully use the legal tools provided by the International Court of Justice Advisory Opinion on the legal consequences of the construction of the Wall. Of particular importance is the ICJ's reminder to all States that they are under an obligation not to recognize or "render aid or assistance in maintaining the situation created" by the construction of the Wall, and to end any impediments created by the wall's construction to the Palestinian people's exercise of its right to self-determination. This and other elements of the Opinion provide an excellent basis for the PLO to push states to divest from bodies that profit from Israel's occupation and apartheid, as well as to impose sanctions against Israel. They should take their cue from the highly successful BDS movement initiated by Palestinian civil society in 2005, on the 1st anniversary of the ICJ opinion, and now led by a representative coalition of popular and political forces in the BNC.

These strategies and sources of non-violent Palestinian power – civil resistance, BDS, legal tools and mechanisms, reframing the debate, growing international solidarity among peoples and states – are essential to the struggle for self-determination and realization of inalienable rights.

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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.

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