

1995

The political geography of a Palestinian state: Main problems of implementation

Saed Jamal Abu-Hijleh
University of Northern Iowa

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**THE POLITICAL GEOGRAPHY OF A PALESTINIAN STATE:
MAIN PROBLEMS OF IMPLEMENTATION**

**An Abstract of a Thesis
Submitted
In Partial Fulfillment
of the Requirements for the Degree
Master of Arts**

**Saed Jamal Abu-Hijleh
University of Northern Iowa
May 1995**

ABSTRACT

This study examined the main territorial, political, and economic obstacles facing the establishment of a Palestinian state. The study tried to determine if the classical requirements of state formation can be met within the geographic and political context of the West Bank and the Gaza Strip. To accomplish this, the study focused on the main obstacles and problems associated with the following:

1. The territorial definition and delimitation of a Palestinian state.
2. The determination of Palestinian citizenship and political representation.
3. The establishment of a viable and independent Palestinian economy.
4. The specification and execution of the functions and responsibilities of a Palestinian state apparatus.

To provide a context for studying the political geography of a Palestinian state, the principal geographic and political literature on the state as a politically organized area was reviewed and summarized. The summary included general description of the concepts of state sovereignty and factors influencing it, political borders, nation and nationalism, state form, state functions, and state apparatus. Two theories of state formation were also included to provide a comparative framework for examining the Palestinian case.

The 1993 PLO-Israeli Declaration of Principals (DOP) on Palestinian interim self-government arrangements is considered a major qualitative development in the nature of the Palestinian-Israeli conflict. This thesis, thus, used the DOP and the subsequent Cairo Agreement between the PLO and Israel as the starting point for the analysis. The potential effects of the DOP and the Cairo Agreement on the process of Palestinian state formation was examined. A detailed textual analysis of the two agreements revealed their insufficiency for addressing the main obstacles outlined by the thesis.

The way in which these problems are addressed will ultimately determine the geopolitical outcome of the Palestinian-Israeli conflict. By identifying and classifying these problems and obstacles this thesis provides a context for evaluating the feasibility of creating a Palestinian state. For a truly independent Palestinian state to form, the PLO-Israeli peace process must produce an adequate resolution to the various problems outlined in this thesis. Any future Palestinian political entity that falls short of meeting all the essential requirements of a state cannot be considered as such.

**THE POLITICAL GEOGRAPHY OF A PALESTINIAN STATE:
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**A Thesis
Submitted
In Partial Fulfillment
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Master of Arts**

**Saed Jamal Abu-Hijleh
University of Northern Iowa
May 1995**

To my father

Dr. Jamal Abed Al-Karim Abed Al-Raheem Musa Abu-Hijleh

and to my mother

Shaden Abed Al-Qader Al-Saleh Abu-Hijleh

for the endless love they gave me

This study by: Saed Jamal Abu-Hijleh

Entitled: The Political Geography of a Palestinian State:
Main Problems of Implementation

has been approved as meeting the requirement for the
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CHAPTER 1

INTRODUCTION

The Palestinian-Israeli struggle is considered one of the most complex territorial conflicts of our modern era. Since the end of World War One, the conflict has been a major source of strife and instability for the whole Middle East region resulting in seven major wars that claimed the lives of thousands of people and caused immeasurable human suffering to thousands of others in the area. The Palestinian-Israeli conflict lies at the heart of the Arab World's enmity with the State of Israel and all prospects of normalization between Israel and the surrounding Arab countries depend on a just resolution of it.

The recent signing of peace accords between Israel and the Palestine Liberation Organization (PLO) have raised expectations for a peaceful resolution to the conflict. The Palestinian-Israeli accords resulted in limited Palestinian autonomy in parts of the Gaza Strip and the West Bank city of Jericho for a transitional period of five years. A comprehensive solution to the conflict is yet to be negotiated between the two sides and will not take effect until the end of the five-year transitional period. However, the events of the past half century strongly suggest that a just and durable solution will not be reached without granting the Palestinian people the right of self-determination including the creation of a Palestinian state.

This thesis outlines and analyzes the main problems and obstacles facing the implementation of such a Palestinian state. Most of the previous literature on Palestinian autonomy and statehood lacks a clear geographic dimension. In addition, the geographic literature on the topic is far from complete, and there is a

serious need for work that treats the issue of Palestinian autonomy and statehood in a more comprehensive and holistic fashion. This thesis tries to remove the ambiguity that is traditionally associated with the geographic meaning of the different proposals for Palestinian autonomy and statehood, i.e., what they entail territorially and geopolitically.

The geographic identification and classification of the problems and obstacles facing Palestinian statehood will provide a more realistic picture of the prerequisites to the creation of a Palestinian state. In this way, the thesis puts the issue of the feasibility of a Palestinian state in its proper context. This thesis, however, is limited in both the scope and time span of its predictions. The Middle East is a highly dynamic region of the world; political and strategic changes in the region could affect the process of Palestinian state formation in a radical way at any time.

To adequately examine the political geography of any future Palestinian political entity, it is necessary to inspect how the complex Palestinian-Israeli conflict evolved.

Historical Background

Palestine,¹ the historic region occupying the southwest corner of the ancient Fertile Crescent, was the locus of successive settlements and conquests by many peoples and civilizations, and an important focus of interaction between East and West. From an early time, the area was settled by Semitic tribes called the Canaanites. By the second millennium B.C. the Philistines, a seaward people,

¹ The name Palestine originated from a Greek word that was in turn derived from the Hebrew word for "the land of the Philistines."

settled on the eastern coasts of the Mediterranean and mixed with the local Canaanite population. Together they produced a distinct sedentary culture based on agriculture, fishing, and trade, and built several cities including Gaza, Ekron, and Ashdod, which survive to this day. At about 1200 B.C. Hebrew tribes entered Palestine and by 1000 B.C. created a kingdom that eventually split into two, Israel and Judah. These kingdoms were eventually destroyed: Israel by Assyria in 721 B.C. and Judah by Babylon in 587 B.C. In the centuries that followed, Palestine was conquered by a succession of invaders, including the Persians, the Greeks, and the Romans.

By 641 A.D. Arab Muslim armies ended Roman and Byzantine rule of Palestine which had lasted for about 500 years. Within a few centuries Islam and the Arabic language became prevalent in the region. The Byzantine province of Palaestina Prima (the name that the Byzantines gave to Palestine) became the military and administrative *djund* (province) of Filastine² of the Islamic Caliphate (Khalidi 1984, p. 28). The boundaries and physical characteristics of Filastine were recorded by medieval Arab and Muslim geographers:

Filastine is the Westernmost of the provinces of Syria. In its greatest length from Rafah to the boundary of Al Lajjun (Legio) it would take a rider two days to travel over; and the like time to cross the province in its breadth from Yafa (Jaffa) to Riha (Jericho). Zugar (Zoar) and the country of Lot's People (Diyar Qawm Lot), Al Jibal (the mountains of Edom) and Ash Sharah as far as Ailah--Al Jibal and Ash Sharah being two separate provinces, but lying contiguous one to the other--are included in Filastine, and belong to its government . . . Filastine is the most fertile of the Syrian provinces. Its capital and largest city is Al Ramlah, but the Holy City (of Jerusalem) comes very near this last in size. (Istakhri and Ibn Hawkal cited in Le Strange 1890, p. 28)

² Filastine is the Arabic name for Palestine.

From the beginning of the 11th century till the middle of the 16th century, Palestine was incorporated into the non-Arab Muslim empires of the Seljuks, and Mamluks, interrupted by brief intervals of Crusaders' occupation between 1098 A.D. and 1291 A.D (The Times Atlas of World History 1993).

During the four centuries from 1516 A.D. until the end of World War I, the whole region of southwest Asia, including Palestine, was under the control of the Ottoman Empire. In 1887 the Ottomans divided Palestine into three administrative units: the *Sanjak* (district) of Jerusalem, the *Sanjak* of Nablus, and the *Sanjak* of Acre. The two districts of Nablus and Acre were administratively part of the *vilayet* (province) of Beirut. Jerusalem, because of its religious importance, was governed directly by Constantinople. The areas east of the Jordan river (which later became Trans-Jordan) were administrated separately from the three Palestinian districts and formed part of the *vilayet* of Syria (Khalidi 1984, p. 32).

Prior to the end of the First World War the British and French governments devised secret plans to divide the Arab areas of the Ottoman Empire between them. Under the Sykes-Picot secret pact of May 1916, Britain and France agreed to set up two Arab states in the area between Damascus and Aqaba. One of those states was to be under French control, the other under British control. Palestinian coastal areas, with the exception of a British enclave around the port cities of Acre and Haifa, were to be placed under the joint control of Britain and France (see Figure 1). However, at the end of the First World War these plans were abandoned. Syria and Lebanon were occupied by France and placed under its mandate, while Trans-Jordan and Palestine were placed under British mandate

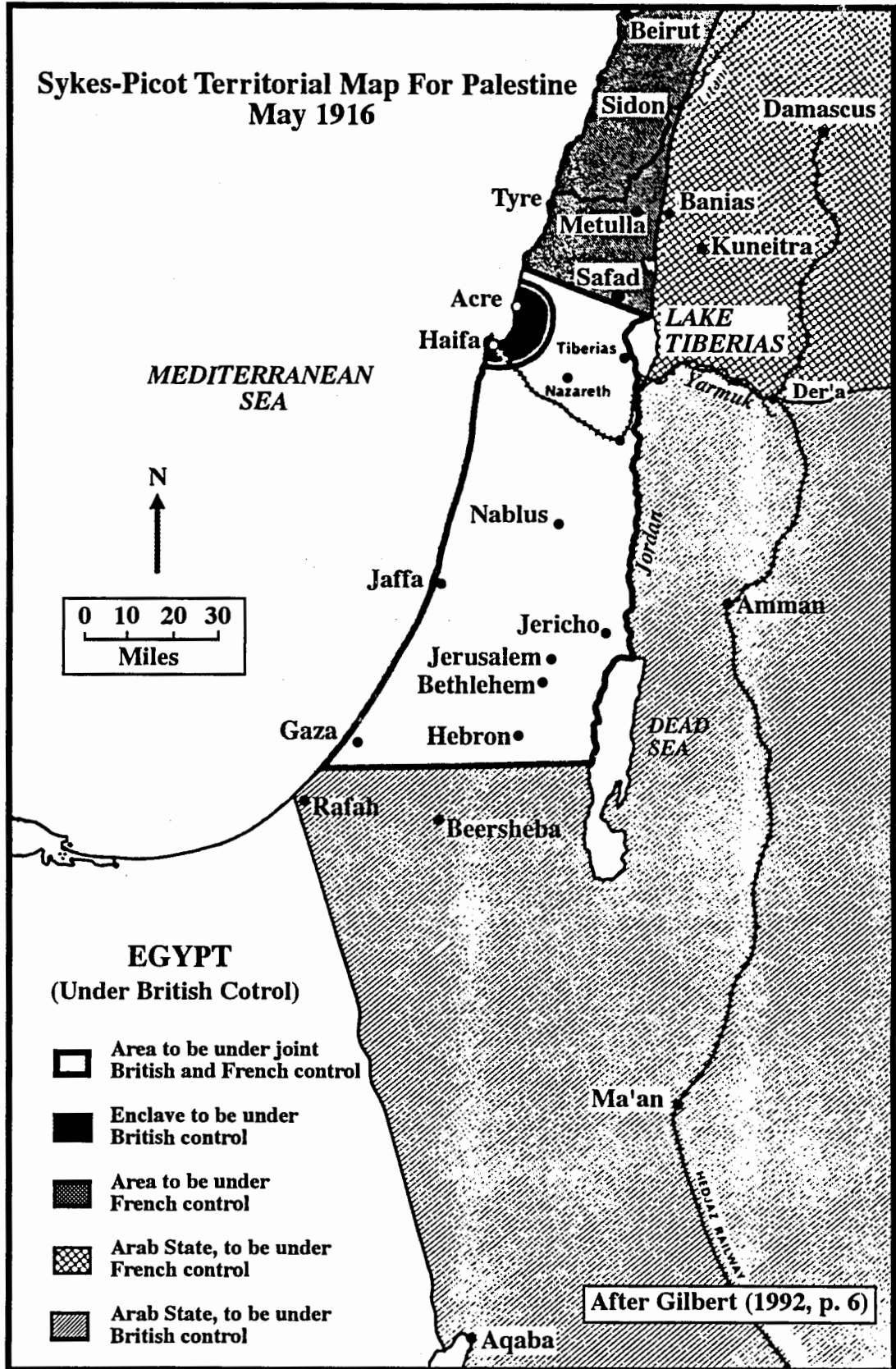


Figure 1. Sykes-Picot Territorial Map for Palestine, May 1916.

Towards the end of the 19th century, Jewish nationalists started to publicize their territorial claims to Palestine. Jewish nationalism, known as Zionism, was a European-inspired political movement in the late 1880s that had the goal of establishing a Jewish state in Palestine. The rise of anti-semitism in Russia and Europe contributed greatly to the rise of Zionism, but the motives of the early Zionist were not directed towards the realization of an abstract "state idea." Rather they were interested in fleeing persecution and finding a safe haven. Not until the late 1890s was the idea of establishing a western-style nation-state fully developed.

The idea of creating a Jewish state was proposed by Theodore Hertzl (regarded as the "father" of political Zionism) in a 1896 book entitled Der Judenstaat ("The Jewish State," subtitled "An Attempt at a Modern Solution to the Jewish Question"). Hertzl wrote:

The idea which I have developed in this pamphlet is an ancient one. It is the restoration of the Jewish state . . . I shall do no more than suggest what cogs and wheels comprise the machinery I propose, trusting that better mechanics than myself will be found to carry the work out . . . The world needs the Jewish state; therefore it will arise. (Mahler 1991, p. 6)

Zionism represented an unconventional form of nationalism where "it evolved outside of the territory toward which it was directed, and the target of the movement, the Jewish population, was scattered throughout the world rather than being concentrated in one geographic area" (ibid., p. 61). However, before being entitled to a state Jews had to constitute a "nation." This presented Zionists with a dilemma, and in order to solve it they attempted to "manipulate the Jewish religious identity into support for the misconception of a Jewish national identity and to persuade Jews that they have a national obligation" to a

nation-state (Abboushi 1982, p. 1). The next step for Hertzl, and for the Zionists, was to find the "territory" on which to construct the future Jewish state.

Palestine was their "territorial" choice due to its religious and historic significance.

Zionism transferred the religious notion of the "Promised land" into a territorial claim, and the religious yearning to "return" to it into a "political dogma" (ibid., p.

6). Although parts of Palestine were historically inhabited by Jews, Zionists declared that all of Palestine fell within their territorial rights. The Zionist movement created a slogan that best described the nature of their quest: "A land without a people for people without a land" (quoted in Zogby 1981, p. 7).

Inspite of that claim, Palestine was not empty of people. At the time of this Zionist's declaration there were about 600,000 Palestinian Arabs living in the area (ibid., p. 7).

The Zionist plans envisioned a unique form of settler colonialism, differing from French and British colonial schemes in a fundamental way: the Zionist not only wanted to build a colony in a place occupied by others, they literally "sought to replace them"³ (ibid., p. 13). In 1895, Hertzl articulated the essence of this Zionist goal:

We shall have to spirit the penniless population [Palestinians] across the border by procuring employment for it in the transit countries, while denying it any employment in our own country. Both the process of expropriation and the removal of the poor must be carried out discreetly and circumspectly. (Quoted in Said 1979, p. 13)

³ This attitude can be seen as the product of the European origins of the leadership of the Zionist movement. Political Zionism matured in an era of European imperialism and colonialism and its ideological traits exemplify that period (Brenner 1983). An explanation of this European attitude is given by Middle Eastern scholar Maxime Rodinson where he demonstrated that "every territory situated outside that world [Europe] was considered empty -- not of inhabitants, of course, but constituting a kind of cultural vacuum, and therefore suitable for colonization" (Rodinson 1968, p. 14), also see (Rodinson 1973).

To accomplish this goal the Zionist movement had to try to accommodate the different strategic interests of the imperial powers. Ever shifting political maneuvers were needed to gain the support of different competing powers, both before and during WWI. Eventually the Zionist concentrated their effort to accommodate British interest. In 1914 the editor of the British Manchester Guardian summed up the British strategic interest in Palestine:

That on general strategic grounds it is exceedingly desirable that the present too contracted frontiers of Egypt should be expanded . . . that a buffer-state in Southern Syria might be expected to work with equal effectiveness as in India, and with greater smoothness . . . and that if this buffer-state became a dominion or genuine colony it would be a source of great strength to us in the Eastern Mediterranean, both politically and ultimately militarily, and finally, that the only possible colonizers on a great and worthy scale in Palestine are the Jews. (Quoted in Zogby 1981, p. 12)

The above quote provides a crude picture of how Zionist and British imperial interests concurred. Although the British gave promises to the Arabs in order to secure their support for Britain's war effort, they secretly favored the Zionist. Lord Balfour, British foreign secretary, wrote that:

In Palestine we do not propose even to go through the form of consulting its inhabitants as to their wishes . . . Zionism . . . is of far greater importance . . . than the desire and prejudice of the 700,000 Arabs who inhabit that ancient land. (Quoted in Zogby 1981, p. 14)

With such views in mind Lord Balfour needed little convincing to support the Zionist goal in the 1917 Balfour Declaration:

His Majesty's government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavors to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country. (The Middle East and North Africa 1990, p. 68)

The Zionist movement went even farther and used biblical territorial descriptions as the basis for its extraterritorial claims (See Genesis 15:18-21; Abboushi 1982, p. 6). In 1919 the world Zionist Organization presented a memorandum to the Paris Peace Conference that described the territorial extent of their Jewish state:

The whole of Palestine, Southern Lebanon, including the towns of Tyre and Sidon, the head waters of the Jordan River on Mount Hermon and the Southern portion of the Litani River; the Golan Heights in Syria, including the town of Quneitra, the Yarmuk River and Al-Himmeh hot springs; the whole of the Jordan Valley, the Dead Sea, and the eastern highlands up to the outskirts of Amman, thence in a southerly direction along the Hedjaz railway to the Gulf of Aqaba; in Egypt, from El-Arish, on the Mediterranean coast, in a straight line in a southerly direction to Sharm El-Sheikh on the Gulf of Aqaba. (The Middle East and North Africa 1990, p. 497) (see Figure 2)

It was clear that the existence of a resident Palestinian Arab population was incompatible with this Zionist goal. The Zionist movement was determined to "de-Arabize"⁴ Palestine and to transform it into a "mono-religious" Jewish state (Flapan 1979, p. 56).

With the end of WWI the league of Nations entrusted the Mandate for Palestine to Britain on July 24th, 1922 (see Figure 3). Britain's "National Home" policy was included as an essential part of the text of the Mandate. Article 2 of the Mandate stated that "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." To achieve such conditions Article 4 of the Mandate called for "An appropriate Jewish Agency" to

⁴ This term was used by the late Palestinian geographer Bashir Nijim (1984) to describe the essence of Zionist colonization of Palestine.

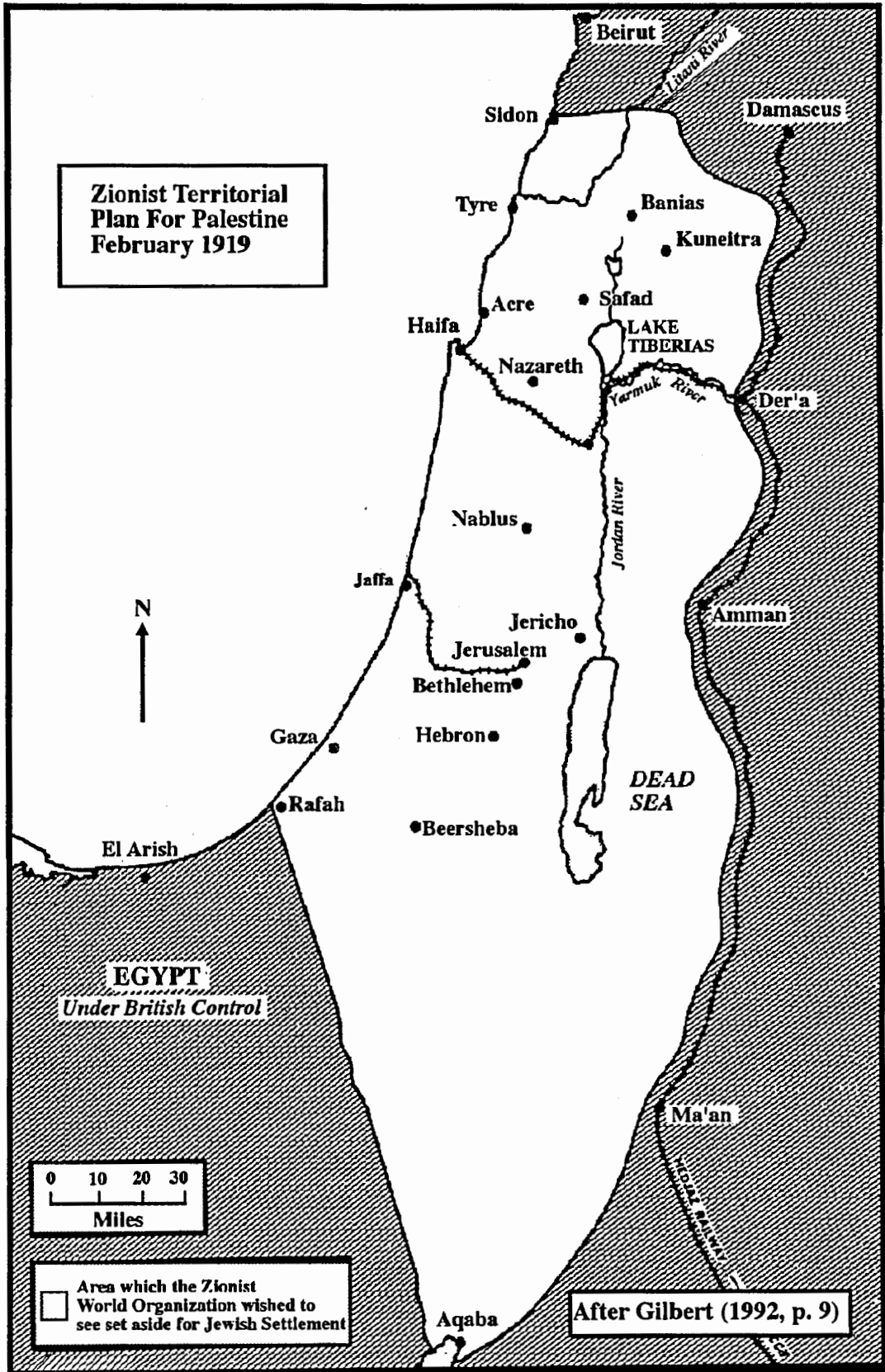


Figure 2. Zionist Territorial Map for Palestine, February 1919.

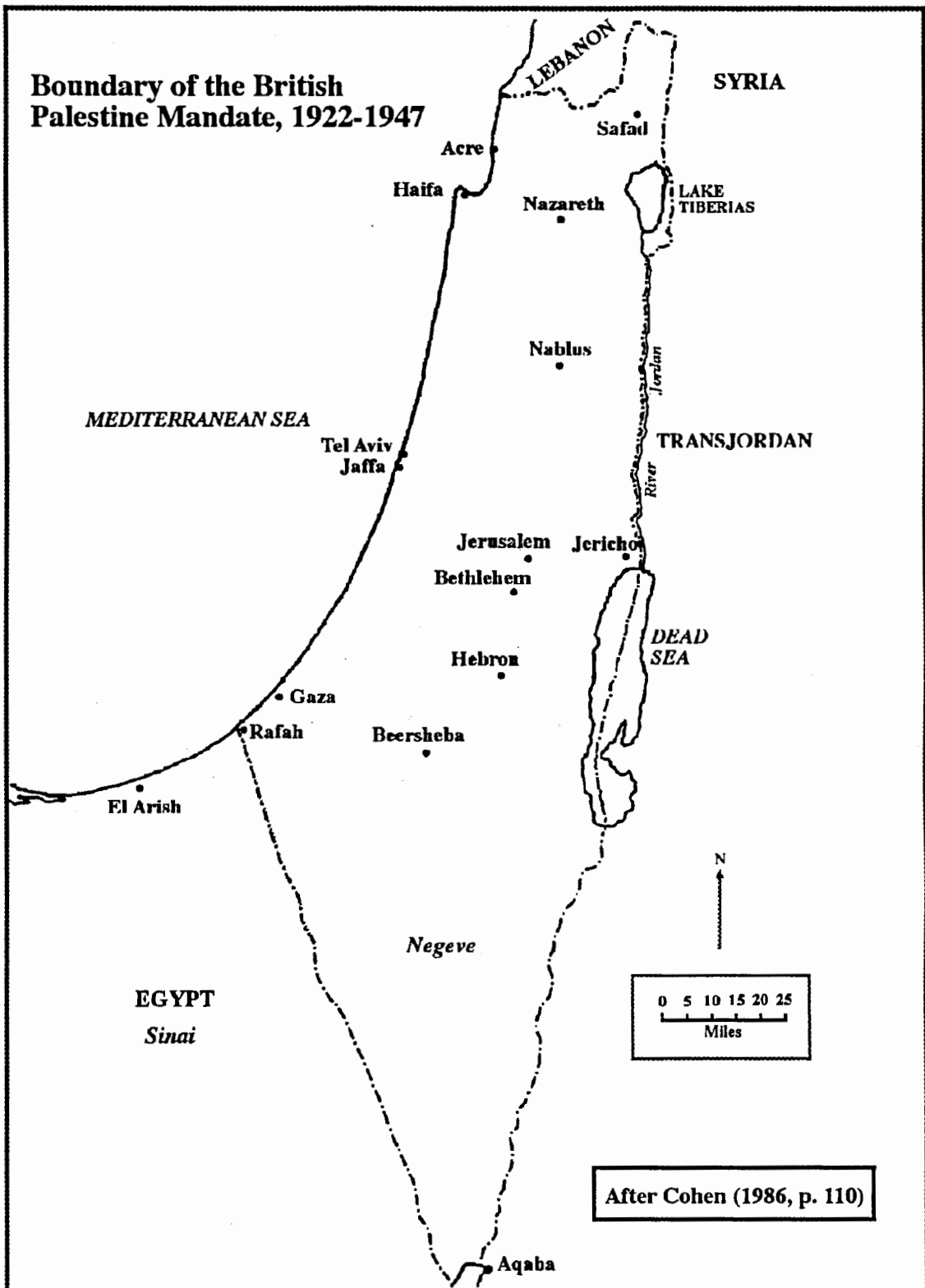


Figure 3. Boundary of the British Palestine Mandate, 1922-1947.

be recognized "as a public body for the purpose of advising and cooperating with the Administration of Palestine," and to ensure the creation of the "Jewish National Home," Article 6 stated that the Mandatory "shall facilitate Jewish immigration under suitable conditions and shall encourage, in cooperation with the Jewish Agency referred to in Article 4, close settlement by Jews on the land, including State Lands and waste lands not required for public purposes."

Immediately after enacting the Mandate, the World Zionist Organization (WZO) was recognized as that Jewish Agency (The Middle East and North Africa 1990, p. 70).

The Palestinian Arabs did not react passively to these developments. They resisted both the British Mandate and Zionist practices. They saw British imperialism and Zionism as barriers to the achievement of their own national aspirations. The struggle for independence from British rule and against Jewish immigration to Palestine became central to the development of Palestinian nationalism between the two world wars. Palestinians realized that British policies were systematically undermining their struggle for independence while, at the same time, strengthening the Zionist drive to colonize Palestine. Palestinian resistance culminated in the 1936-1939 revolt, during which Palestinians fought both the British army and a collection of Zionist terrorist groups (the Haganah, the Irgun, and the Stern Gang). After intense fighting that left more than 19,000 Palestinians dead and wounded, the revolt was finally crushed (Khaldi 1984, pp. 187-197).

Throughout the Mandate period, British authorities tried to present themselves as an honest broker between Palestinians and Zionists. In an effort to

stop the rising violence in Palestine, the British introduced several proposals that were primarily intended, either to regulate Jewish immigration into Palestine in order to calm Palestinian anger, or to propose partition plans in order to satisfy the Zionists by providing territory for a Jewish state. All these British proposals failed. The Zionist movement was determined to achieve a complete possession of the land of Palestine and to remove the Palestinian people from it. Zionists stated their aim blatantly and without apologies. As Joseph Weitz, the person in charge of the Colonization Department of the Jewish Agency, put it:

Between ourselves it must be clear that there is no room for both peoples together in this country . . . we shall not achieve our goal of being an independent people with the Arabs in this small country. The only solution is a Palestine, at least Western Palestine (West of the Jordan River) without Arabs . . . And there is no other way than to transfer the Arabs from here to the neighboring countries, to transfer all of them; not one village, not one tribe, should be left . . . only after this transfer will the country be able to absorb the millions of our brethren. There is no other way out. (Quoted in Hallaj 1988, p. 5)

The Zionist cause was strengthened by the influx into Palestine of a large number of European Jews fleeing Nazi persecution. By the end of 1946, Jews constituted 31% of the total population in the area (Abu-Lughod 1986, p. 27).

In 1947, two years after the end of WWII, the British decided to transfer the crisis they created to the newly founded United Nations.⁵ On November 29, 1947, the U.N. General Assembly adopted resolution 181 (II) which called for the partition of Palestine into Arab and Jewish states, the termination of the Mandate and a phased withdrawal of British armed forces. The partition plan divided Palestine into eight parts: three parts were to be allocated to the Jewish state and

⁵ It should be noted that in November 1947, the United Nations was less than two years old, and that much of the world's population were still living under colonial rule and were not represented by the organization.

three to the Arab state. The seventh part was to form an Arab enclave around the city of Jaffa which fell within one of the parts designated to Jews. Jerusalem, the eighth part, was to be put under an International Trusteeship Council of the U.N. (The United Nations and the Question of Palestine, 1985, pp. 2-5). The Palestinians rejected the partition of their own country. The Zionist movement headed by the Jewish Agency gave the partition its nominal acceptance (see Figure 4).

The British withdrew their forces from Palestine on May 13, 1948. On May 14, 1948 the Zionist leader Ben Gurion declared the creation of the State of Israel. The Palestinians along with the neighboring Arab countries refused to recognize this declaration. In the war that followed (1948-1949) the Zionists were able to defeat the ill-equipped Arab forces. As a result of the war, four-fifths of the land of Palestine, including large areas reserved for the Arab state in the partition plan, fell under the direct control of the new Jewish state.⁶ More than 700,000 Palestinians lost their homes and lands and became stateless refugee in neighboring countries (Khalidi 1984; Morris 1987). During 1949, separate armistice agreements were signed under U.N. auspices between Israel and Egypt, Jordan, Syria, and Lebanon.⁷

Following the 1948-1949 war, Arab opposition to Israel continued unabated. Full-scale fighting broke out again in 1956 (the Suez-Sinai War), 1967

⁶ By January 1949, Israel had extended its area by about 5,000 sq km (1,930 sq mi) beyond the 15,500 sq km (4,983 sq mi) allocated to the Jewish state in the U.N. 1947 partition resolution (Khalidi 1984, pp. 305-313).

⁷ The armistice lines served as Israel's unofficial boundaries until the outbreak of the 1967 Six-Day War.

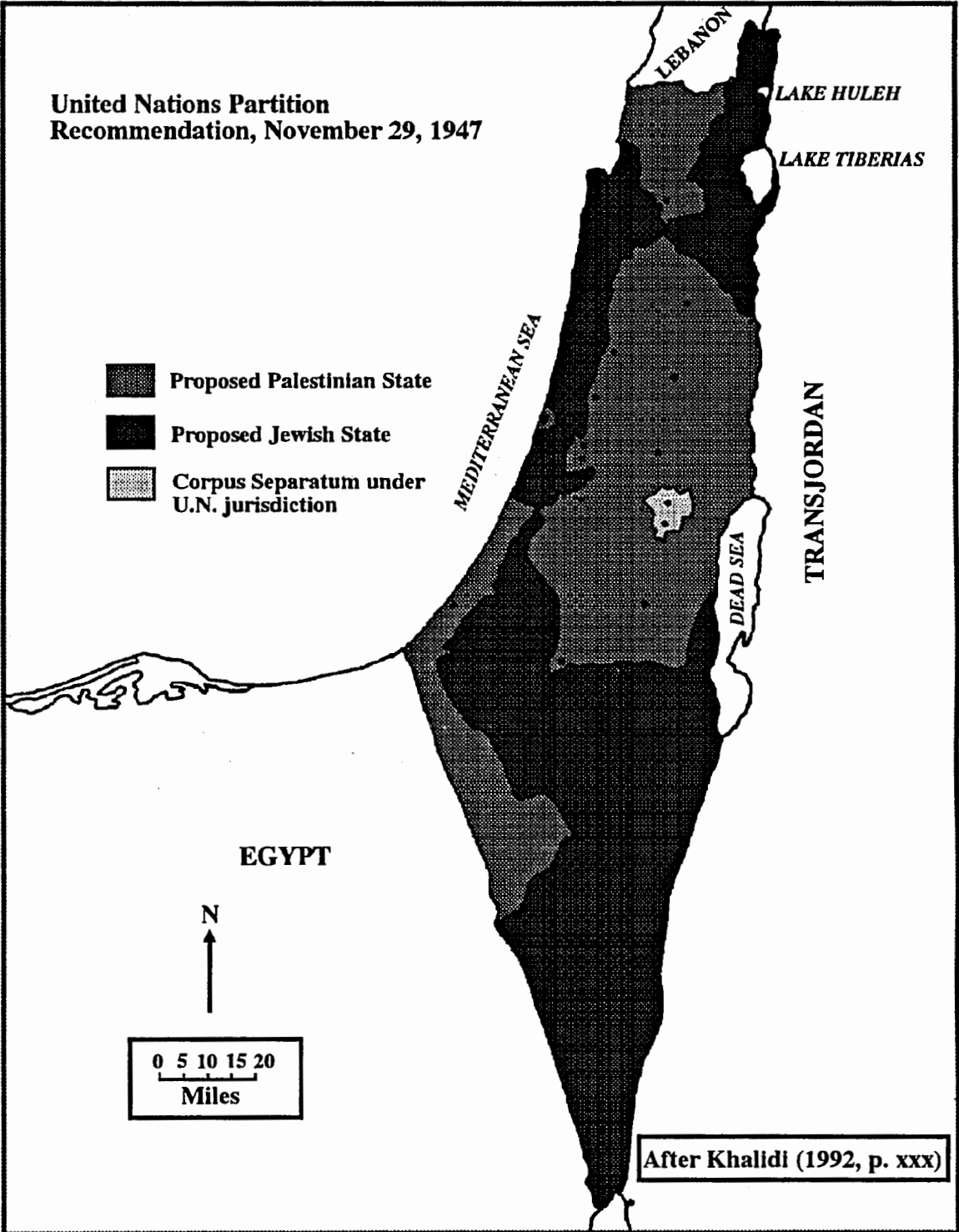


Figure 4. United Nations Partition Recommendation, November 29, 1947.

(the Six-Day War), and 1973 (the Yom Kippur/Ramadan War). As a result of the 1967 June war, Israel occupied the rest of the area of Mandate Palestine (the Gaza Strip and the West Bank including East Jerusalem), as well as parts of the Syrian territory of the Golan Heights and the whole of Egypt's Sinai (see Figure 5).

In 1979, Israel and Egypt signed the Camp David peace treaty which led to an Israeli withdrawal from Sinai. No progress, however, was made with respect to the status of the Israeli Occupied West Bank and the Gaza Strip.

Israel's intense, intermittent, fighting with the Palestine Liberation Organization (PLO) led to the 1982 Israeli invasion of Lebanon which was intended to eliminate the PLO's military presence from that country. Israel withdrew in 1985, but maintained a 10-20 km wide security zone in South Lebanon.

The harsh socioeconomic conditions of the Israeli military occupation of the West Bank and the Gaza Strip led to the start of the Palestinian Intifadah⁸ (Uprising) on December 9, 1987. Israel attempted to crush the uprising with force but ultimately failed.

The 1991 Persian Gulf War and the breakup of the Soviet Union changed the geopolitical order in the Middle East and brought the Palestinian Question back to the spotlight of international politics. In October 1991, a U.S.-Soviet sponsored peace conference was held in Madrid. After the conference, bilateral negotiations were started between Israel and the surrounding Arab countries.

⁸ Intifadah is an Arabic word that means shaking off.

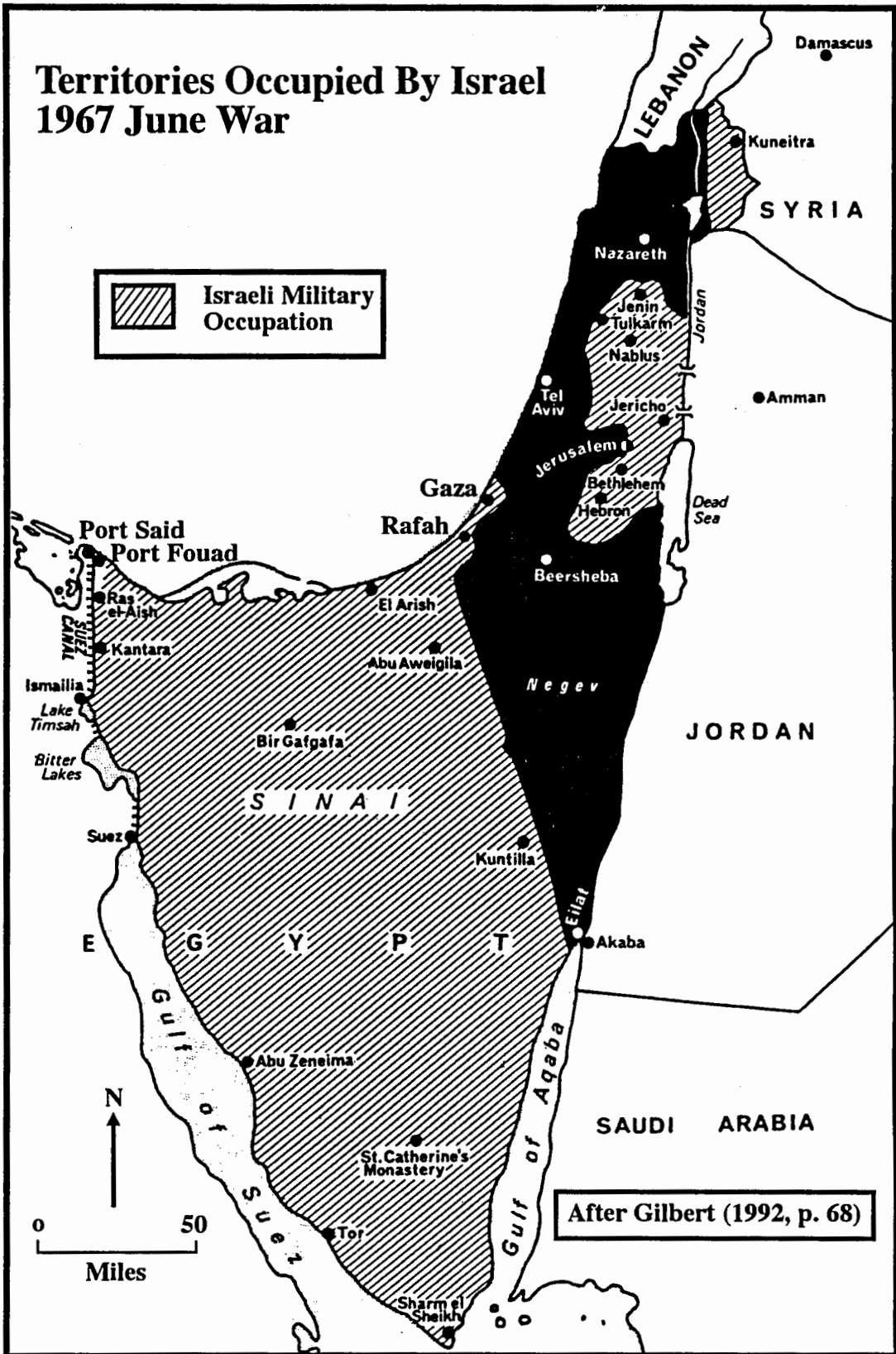


Figure 5. Territories Occupied by Israel, 1967 June War.

Bilateral talks also started between Israel and a Palestinian delegation from the West Bank and Gaza Strip after it got the approval of the PLO. After 10 rounds of talks, spread over two years, bilateral talks between Palestinians and Israelis reached a deadlock over the issues of Jerusalem and Jewish settlements.

At the same time that bilateral talks were taking place in Washington, the PLO and Israel were conducting intense behind-the-scenes negotiations in Oslo, Norway. After fifteen sessions of secret talks, the two sides were able to reach an agreement. On September 13, 1993, Israel and the PLO signed a Declaration of Principals (DOP)⁹ that articulated the guidelines of peace negotiations between the two over a five year period.

Article I of the DOP sets forth as the goal of the negotiations between Israel and the Palestinians "to establish a Palestinian Interim Self-Governing Authority [PISGA], the elected council, (the "Council") for the Palestinians people in the West Bank and Gaza Strip, for a transitional period not exceeding five years, leading to permanent settlement based on Security Council Resolutions 242 and 338," with the understanding that permanent status negotiations will lead to the implementation of both resolutions.

⁹ The PLO-Israeli Declaration of Principals on Interim Self-Government Arrangements (DOP) is also referred to as the PLO-Israel Accord, the Oslo Agreement, and sometimes the Gaza-Jericho First Agreement. The DOP consists of the following documents: (1) the text of the Declaration itself; (2) four annexes dealing, in turn, with elections, early withdrawal from the Gaza Strip and Jericho area, Israeli-Palestinian economic cooperation, and Israeli-Palestinian cooperation at the regional level; and (3) a series of Agreed Minutes amplifying various articles of the Declaration. These Agreed Minutes were separately signed by the parties, and, according to Article XVII of the DOP, they constitute an "integral part" of the DOP. For a complete text of the DOP see the *New York Times*, Wednesday, September 1, 1993, p. A 6.

The accord also declares that the “jurisdiction” of the Council or PISGA will cover “West bank and Gaza territory, except for issues that will be negotiated in the permanent status negotiations.”

Moreover, the DOP specifies that public elections should take place in the West Bank and Gaza Strip no later than nine months after the entry into force of the accord. Palestinians in the Gaza Strip and in the West Bank, including those in East Jerusalem, can then elect the above mentioned Council or PISGA which will be responsible for Palestinian autonomy or self-rule in the West Bank and Gaza for the duration of the interim period. The “exact mode and conditions of elections” will, however, be decided upon by an Election Agreement between Israel and the PLO.

The DOP stipulates that the five-year transitional period begins upon Israeli withdrawal from the Gaza Strip and the Jericho area. And that “immediately” after withdrawal, the Israeli military government and its “Civil Administration” will transfer authority to the “authorized Palestinians” in the following five spheres: Education and Culture, Health, Social Welfare, Direct Taxation, and Tourism.¹⁰ Authority transferred to Palestinians in these spheres “will be of preparatory nature until the inauguration of the Council.”

Finally, the remaining issues, including Jerusalem, refugees, Jewish settlements, security arrangements, borders, and relations with neighboring countries, will not be covered by the Interim Agreement but are supposed to be addressed by permanent status negotiations that will commence “not later than the beginning of the third year of the interim period.”

¹⁰ The DOP refers to these spheres as “early empowerment.”

The implementation of the first phase of the DOP was delayed for few months, but on May 4, 1994, the PLO and Israel reached an agreement in Cairo¹¹ that gave the PLO and its 24-member Palestinian National Authority¹² autonomy over the city of Jericho and parts of the Gaza Strip.¹³ On August 29, 1994, the two sides reached an agreement over the terms of “early empowerment” in the above-mentioned five spheres. The transfer of authority in the five spheres was completed on December 1, 1994.

However, as of April of 1995, the PLO and Israel had not reached an agreement on the “exact mode and conditions” of the elections which according to the DOP, should have taken place in July of 1994. The two sides are currently negotiating over this issue (“The What, When, How and Who of the Palestinian Elections” 1994).

There is widespread disagreement over the sufficiency of the DOP and Cairo Agreement to bring about a just solution to the Palestinian-Israeli conflict. Some observers believe that these two agreements will eventually lead to the creation of a Palestinian state. Others, disagree, and argue that the implementation of these agreements will jeopardize Palestinian quest for a truly independent and viable state. This research will examine both of these positions

¹¹ Agreement on the Gaza Strip and The Jericho Area, Cairo, Egypt, May 4, 1994.

¹² The Palestinian National Authority is the interim government for the self rule areas of Jericho and the Gaza Strip pending elections for the Palestinian Autonomy Council.

¹³ 40% of the Gaza Strip is still under Israeli control including 19 Jewish settlements.

against the backdrop of the main problems and obstacles facing the establishment of a Palestinian state.

The Research Problem

The aim of this research is to identify and analyze the existing as well as potential obstacles and problems that any future Palestinian entity will inevitably face en route to statehood.

This thesis will try to determine if the West Bank and the Gaza Strip, together or separately, constitute an adequate spatial framework for the creation of a viable and independent Palestinian state. The research will try to determine if the classical requirements¹⁴ of state formation can be met within the geographic and political context of the West Bank and the Gaza Strip. To accomplish this, the research focuses on the main obstacles and problems associated with the following:

1. Territorial definition and delimitation of a Palestinian state.
2. Palestinian citizenship and political representation.
3. Economic viability of a Palestinian state.
4. Functions/responsibilities of a Palestinian state apparatus.

The many proposals for Palestinian autonomy and statehood suggested prior to the 1993 PLO-Israeli Declaration of Principals (DOP) have failed.¹⁵ This thesis, thus, uses the DOP and the subsequent Cairo Agreement as the starting point for the analysis. One issue to be addressed is the sufficiency of the DOP

¹⁴ See Chapter 2 on the definition of a state and its political and geographical requirements.

¹⁵ Several proposal directed at a political solution to the Arab-Israeli conflict have been presented over the years but were not implemented: the Rogers plan, the Kissinger plan, the Reagan plan, the Fahd plan, etc. For text of these plans see Middle East and North Africa (1990).

and Cairo Agreement for the creation of a Palestinian state. In other words, does the DOP and Cairo Agreement enhance or diminish the prospects of statehood for the Palestinian people?

The process of Palestinian state formation is expected to be gradual, though not necessarily linear, and will probably require the Palestinian polity to go through several phases before it reaches the status of statehood. The identification and classification of problems and obstacles that are likely to occur, on the road to Palestinian statehood, will provide a context for evaluating the feasibility of creating a Palestinian state. Such a Palestinian state cannot exist until the main territorial, political, and economic problems facing it are adequately resolved. Any future Palestinian entity that falls short of meeting all the essential requirements of a state cannot be considered as such.

Figure 6 offers a conceptual representation of the process of Palestinian state formation. It depicts the main spatial and temporal elements of the movement towards a Palestinian state. The figure outlines the main political and geographic prerequisites that any Palestinian political entity has to satisfy in order to reach the status of statehood. The figure describes three general geopolitical phases in the process: (1) the status quo, (2) the transitional phase and (3) the geopolitical outcome. It also illustrates the effects of the different territorial, economic, and political obstacles on the progression from one phase to another and on the outcome of the process as a whole. Overall, Figure 6 should be treated as a *generalized* conceptual road map to the issues addressed by this thesis.

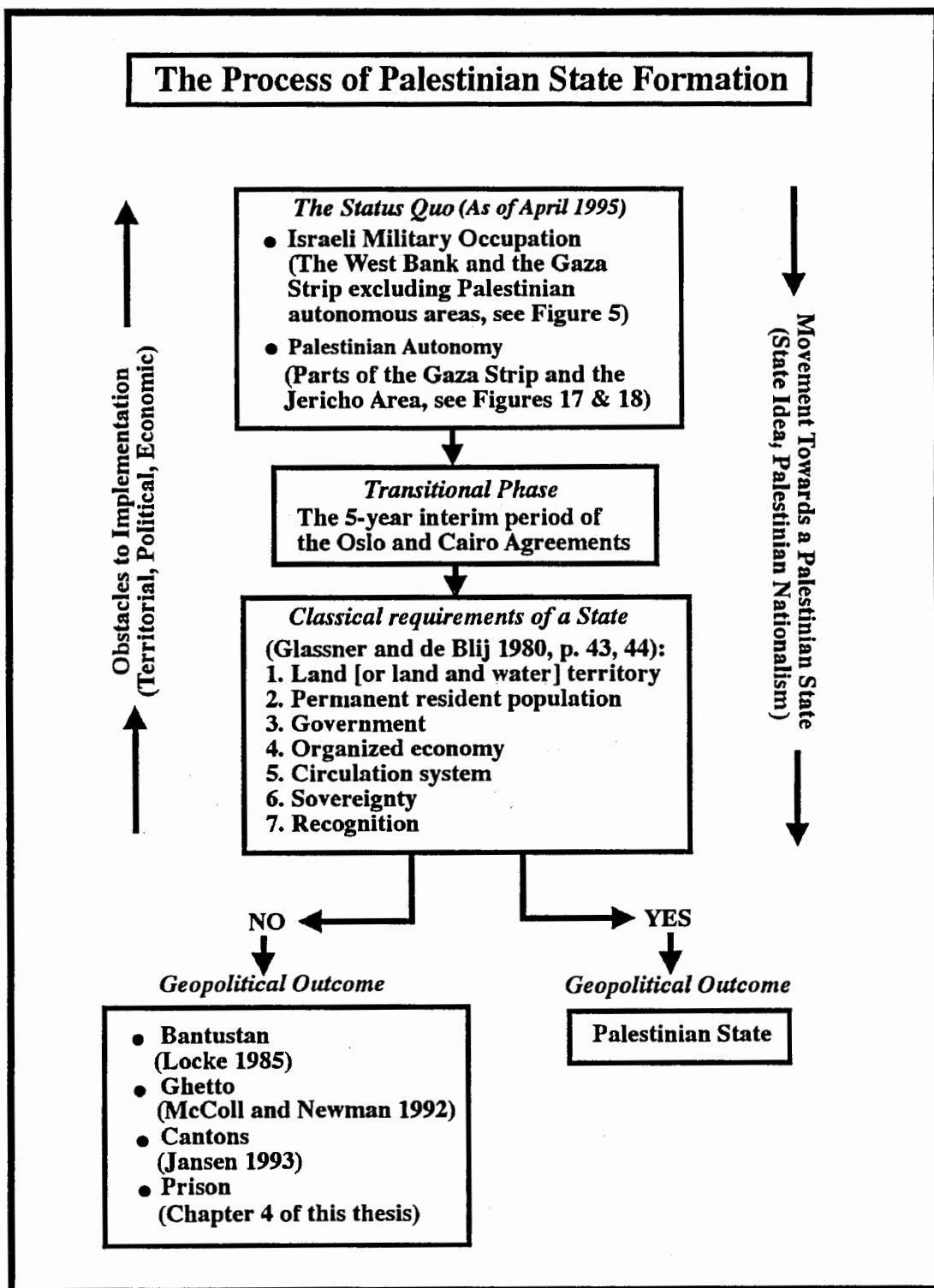


Figure 6. The Process of Palestinian State Formation.

A note on maps and transliteration

All maps used in this thesis have been drawn as originals or redrawn from existing maps. When a map is said to be “From X,” it should be understood that, while redrawn, it is substantially the same in appearance as a map published elsewhere by “X.” On a map, the use of the expression “Source: X” indicates that, while the map maybe new or similar in appearance to a map published elsewhere, the information displayed on the map is, at least partially, to be found in “X.”

Arabic geographical and personal names were spelled in the same way they appeared in the cited references (books, journals, maps, etc.). In some cases place names were changed to conform with the form most easily recognizable to English-speakers, e.g. “Jerusalem” rather than “Al Quds.” A system of Arabic transliteration has been used only in the following cases:

- for transliterating the titles of Arabic books used as references in the thesis; and
- for transliterating Arabic geographical names when a reference map’s spelling diverged markedly from common, or widely used Arabic spelling.

The transliteration system emphasized “spelling” rather than pronunciation (thus “Al-Nidal rather than “An-Nidal”) and followed the technique used most often in transliterating the Arabic script of the Holly Qur’an (see Appendix).

CHAPTER 2

CHARACTERISTICS OF A STATE

What is a State?

There are several basic geographic and political characteristics that a politically organized area should possess in order for it to qualify as a state. These basic characteristics are considered the building blocks or major components of statehood, and they are the ones that distinguish a state from other kinds of politically organized areas.¹⁶

Traditionally, a state has been defined as a “politically organized body of people occupying a finite territory under a government competent in securing internal obedience and maintaining essential freedom from external intrusion or control” (Norris and Haring 1980, p. 65). Similarly, Glassner and de Blij (1980) contend that “in order for a place to be considered a state¹⁷ in the strictest sense it must possess to a reasonable degree the following [geographic] characteristics”: (1) land territory (2) a permanent resident population (3) a government (4) an organized economy, and (5) a circulation system. It also should possess two political criteria: (1) sovereignty and (2) recognition (pp. 43, 44).

Sovereignty is generally defined as the ultimate authority and control by a government of a state over its territory and the people within that territory, bounded by political borders (Johnston 1986, p. 441). This means that a

¹⁶ Politically organized areas exist at different levels of geographic scale from the local to the global: city, county, township, province, etc.

¹⁷ The term state is used in another sense in a federal system, such as the United States of America or India, to refer to one of the semiautonomous political entities that make up the federal (or national) government.

sovereign state has “the right to exercise therein (in its territory), to the exclusion of any other state, the function[s] of a state” (quoted in Joffé 1994, p. 1). In this sense a government of a state is sovereign over its territory if its authority within that territory is not challenged. It follows from this definition that the “precise determination of the territorial extent of a state is crucially important in determining the extent of its jurisdiction” (ibid., p. 1). This highlights the importance of political boundaries in the contemporary international system of states and the potential of such boundaries in the triggering of territorial conflicts (see Starr and Most 1983; Prescott 1987). In the case of this thesis, political boundaries and territorial sovereignty are considered to be cardinal issues to be settled in creating a Palestinian state.

In the real world, state sovereignty is influenced by many geopolitical and economic factors. Sovereignty of a state can be seen as a function of the “structural position” of that state within the world-economy (Taylor 1985, pp. 26, 27). Today’s international capitalist system is roughly divided into core, semi-periphery, and periphery zones,¹⁸ which are nominal descriptions of complex production relations that determine the relative hierarchical position of an entity within the world economy (ibid., pp. 15-18). A state’s position within a core, semi-periphery, or periphery zone affects its political and economic stability, and in turn, the ability to defend its sovereignty. This is because the *power* possessed by a state is also determined by its structural position. Structural power, as it is

¹⁸ Core and periphery donate to political and economic processes that could exist in any country or region. In simplified terms, “core processes consist of relations that incorporate relatively high wages, advanced technology and a diversified production mix. Whereas periphery processes involve low wages, more rudimentary technology and a simple production mix” (Taylor 1985, p. 17).

called, is a function of four elements or sources: “control over security, control over production, control over credit, and control over knowledge, beliefs and ideas” (Strange 1988, p. 26).¹⁹ Consequently, as a state’s structural power changes according to these four elements so does its sovereignty. Therefore, sovereignty of a state is not absolute or static, but relative and dynamic in nature. Many economic and political factors can help undermine or strengthen the sovereignty of a state. These factors can operate at different levels of geographical scale: the national (within the nation-state) level, the regional (inter-state) level, and the global (international) level. Here, it is important to keep in mind that the nature of sovereignty varies within individual states, and that different states might employ varying territorial strategies to maintain their sovereignty.²⁰

There are several ways in which states extend their sovereignty both legally and illegally from an international law perspective²¹: *conquest*, despite its illegality, has been the most effective method of extending state sovereignty throughout history; *occupation*, whereby control is established over previously

¹⁹ For a more elaborate discussion of the concept of state power in international relations see Toffler (1990).

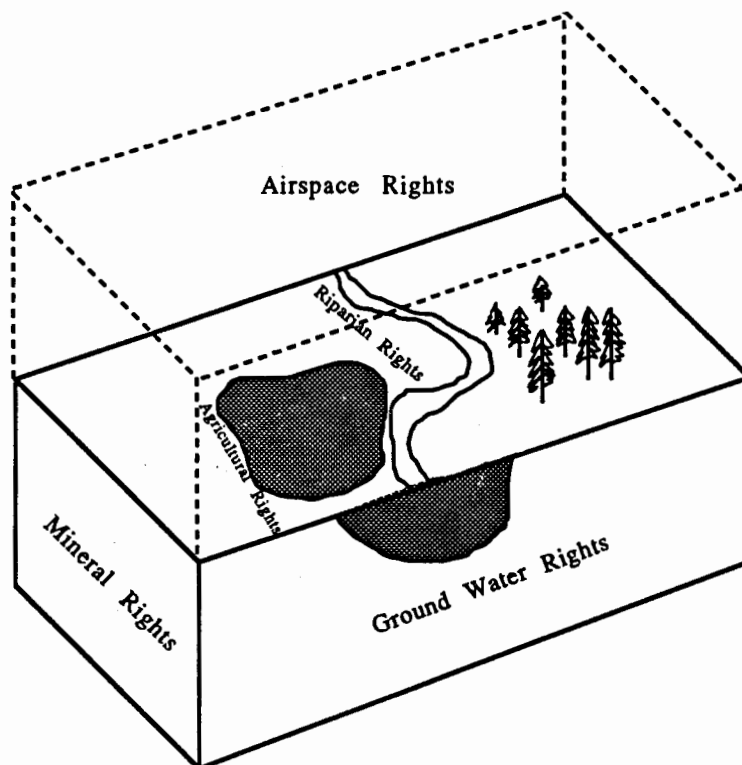
²⁰ Numerous factors play a role in determining the kind of strategies being used. Again, these factors can be either internal or external to specific states.

²¹ International law is traditionally defined as the body of laws governing relations between sovereign states, also referred to as the Law of Nations. It is based on a multitude of sources: multilateral and bilateral treaties between states (or international organizations such as the United Nations and the World Bank), customary law, and “general principles of law.” An international system of sovereign states, therefore, demands that the territorial integrity and political independence of the respective states be honored (Butler 1987).

unclaimed territory; *prescription*, when effective control is exercised for such a time over an area that sovereignty may be deemed to have been extended to it; *cession*, whereby land is transferred from one country to another by treaty; and finally *accretion*, which describes the process by which the territory of a state is extended through an act of nature” (Burghardt 1973, quoted in Johnston 1986, p. 442).

Boundaries are considered the geographic limits of state jurisdiction and sovereignty. Ideally, boundaries are not treated as simple lines on a map, but rather as vertical planes that extend up through airspace, and down into the subsurface of a state’s territory. Thus, boundaries define an area that is three dimensional in scope (Glassner and de Blij 1980, p. 84) (see Figure 7). In this respect, boundaries differ from frontiers, whereby the later is defined as an area or zone (not a line nor plane) situated beyond the commonly recognized limits of a political unit and into which expansion can occur (*ibid.*). Often, boundaries are drawn either through empty frontiers or within frontiers separating two adjacent states. In general, the contemporary process of boundary-making involves five identifiable stages: (1) *Definition* of the boundary, whereby the area or terrain through which the boundary runs is adequately described; (2) *Delimitation* of the boundary cartographically; (3) *Demarcation* of the boundary, i.e, making it visible on the ground; and (4) *Administration* of the boundary, establishing regular procedures for its maintenance and supervision (Glassner and de Blij 1980, p. 84; Norris and Haring 1980, pp. 123-126).

Many political geographers have attempted to classify boundaries according to different criteria. Hartshorne (1936), for example, classified



**The State as a
Three-Dimensional
Political Area**

After Norris and Haring (1980, p. 5)

Figure 7. The State as a Three-Dimensional Political Area.

boundaries into four categories according to the chronological order of their establishment: antecedent, subsequent, superimposed, and cultural-molding. Jones (1959), on the other hand, traced the development of the boundary concept using historical examples. He identified five kinds of boundaries: natural, national, contractual, geometric, and power-political.²²

In addition to boundaries, shape and size of a state are also important elements of its spatial structure. Size, for example, can have detrimental effects in terms of a state's access to natural resources. It can also have major geopolitical and strategic ramifications for a state's defensibility in face of military action by other states. The same can be true of the shape of a state. Moreover, both shape and size, can have considerable effects on the territorial cohesiveness of a state, and in turn, can influence its ability to administer and govern its national territory.

Contemporary states vary greatly in shape and size. In general, states are considered *very small* if they are under 10,000 square miles, *small* if they are between 10,000 to 60,000 square miles, *medium-size* if they are between 60,000 to 140,000 square miles, *large* if they are between 140,000 and 1 million, and *very large* if they exceed 1 million square miles (Glassner and de Blij 1980, pp. 75-76). There are four basic recognized categories of a state's shape: compact, elongated, prorupted, perforated, and fragmented (see Figure 8).

In any event, every viable functioning state, regardless of size or shape, has a core-area that is considered to be a central and indispensable part of its territory. Typically, a core-area contains a large portion of the state's population,

²² For further discussion of boundaries and frontiers see Kristof (1959), Starr and Most (1983), and Prescott (1987).

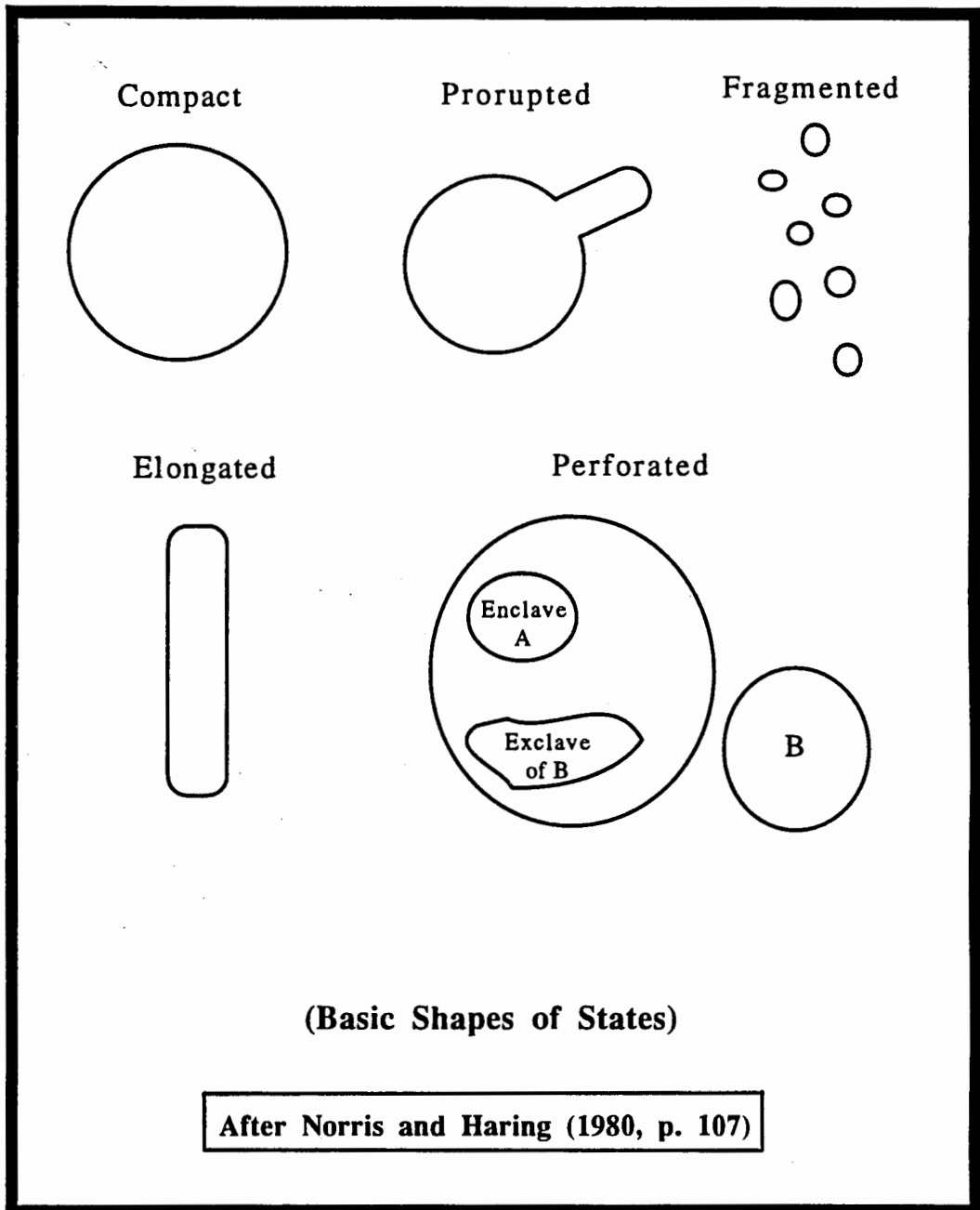


Figure 8. The Basic Shapes of States.

the backbone of its transportation network, its major industrial activities, and a sizable percentage of its total employment. The core-area is also considered the focal point of the political and cultural activities of a state as well as the nucleus of its ecumene²³: the part of a state's territory in which the government functions most effectively and in which the population participate actively in the political life of the country (Norris and Haring 1980, p. 73; Glassner and de Blij 1980, pp. 94-99).

The capital city is also considered a major component of the contemporary state. It is the nerve center of the political activities of the state, the location of the major state institutions and organs of government, and in most cases the headquarter of the main commercial, and educational organizations.

State and Nation

The terms state and nation have been used interchangeably and synonymously on the mistaken assumption that every state constitutes a nation and vice versa. By definition, a nation and a state are not necessarily the same thing. In general, a nation refers to a community of people who share a sense of belonging to a common culture. Such a culture can be based on a common language, religion, history, geographic origin, and sometimes political ideology. Today, there are states that have more than one nation within their territory, and there are nations that are divided among one or more states. Indeed, the rise of modern nationalism in the 19th century brought the concepts of nation and state into such a close alignment that today it is rare to discuss one of them without an

²³ James (1968) defines the ecumene as "the effective national territory, as distinguished from the total territory" (quoted in Glassner and de Blij 1980, p. 99).

explicit or implicit reference to the other: a nation-state became viewed as a nation with a state “wrapped around it” (Glassner and de Blij 1980, p. 46).

Nationalism has been interpreted as a territorial ideology: a “plan” for the geopolitical organization of society in its quest for statehood (Portugali 1988, p. 155). The substance of nationalist ideology, in the twentieth century, can be illustrated by its “core doctrine” (Taylor 1985, pp. 126, 127):

1. The world consists of a mosaic of nations.
2. World order and harmony depends upon expressing this mosaic in a system of free nation-states.
3. Nations are the natural units of society.
4. Nations have a cultural homogeneity based upon common ancestry and/or history.
5. Every nation requires its own sovereign state for the true expression of its culture.
6. All nations (rather than states) have an inalienable right to a territory or homeland.
7. Every individual must belong to a nation.
8. A person’s primary loyalty is to the nation.
9. Only through the nation can a person find true freedom.

With these qualities in mind, Portugali (1988) argued that the ideology of nationalism constituted a sort of a “generative social order” that was able to “enslave” or contain other social orders such as capitalism and communism (p. 154). This meant that other political ideologies had to organize according to the principals of nationalism or be crushed by it. To this day, nationalism is a major source of territorial conflicts around the globe.

Many political geographers have attempted to explain the process of state-formation, and the role that nationalism plays in that process. Hartshorne (1950), for example, described two sets of forces: “centrifugal forces” that work to pull the state apart and, in the opposing direction, “centripetal forces” that bind it together. Among the “centrifugal forces” Hartshorne listed physical

characteristics (topography) of the state's territory; linguistic, ethnic, and religious difference that usually lead to territorial conflicts. On the other hand, Hartshorne identified the concept of the "state idea" to be one of the most important "centripetal forces." He argued that the strength of this "idea" is what gives a state a *raison d'être*, a reason for existing. Today, the "state idea" is closely associated with nationalism.²⁴

Another useful theory of state formation is Jones' (1954) "Unified Field Theory of Political Geography" which tried to provide a coherent conceptual framework for state development. Jones identified five stages or "links" in the process of state formation, each related and connected to one another to form what he termed the "Idea-Area Chain": political idea, decision, movement, field, and finally, a politically organized area. To illustrate this "chain" process Jones applied his theory to the historical process that led to the establishment of the State of Israel: "Zionism is the idea, the Balfour Declaration of 1917 is the decision permitting movement (migration) which produces a field (the immigrant settlement pattern) generating war which defines a state of Israel out of Palestine" (Taylor 1985, p. 116).

²⁴ Conceptually, Hartshorne's theory will prove to be very useful when applied to the Palestinian case, especially when identifying and classifying the "forces" that work for (e.g. Palestinian Nationalism) or against (e.g. Israeli military occupation; physical separation between the West Bank and the Gaza Strip, etc.) the creation of a Palestinian state.

The State: Form, Function, and Apparatus

Political geographers, as well as historians, sociologists, anthropologists, and others, have all attempted to theorize about the state.²⁵ Many have focused on the role the state, and its constituent institutions, play in the process of reproducing and maintaining the social relations of a society. In investigating this role of the state, political theorists usually draw distinctions between state *form*, state *function*, and state *apparatus* (Johnston 1986, p. 457). A state's *form* is referred to the unique state structure that is formed as a result of specific socioeconomic and political trends affecting a society. A state's *function*, on the other hand, refers to the collective set of activities performed by the various institutions of the state. In general, a state functions as a "supplier of public goods and services, regulator and facilitator of the economy, and arbiter between the many groups which compose society" (ibid.). Finally, state *apparatus* refers to the array of institutions and organizations that makeup the state,²⁶ and through which state functions are executed (ibid.).

Both the form and function of the state is influenced by several economic and geopolitical factors. The structural position of a state (see above) within the world economy greatly influence its ability to perform the long list of functions expected from a contemporary modern state. For example, harsh economic

²⁵ Perceptions of what the state is vary significantly with the different political ideologies of analysts whether liberal, neoclassical, Marxist, neo-Marxist, etc. The examination of these various perspectives is out of the scope of this thesis. For further discussion of the different theories of the state see Taylor (1985, pp. 95-125).

²⁶ State apparatus usually consists of a multitude of sub-apparatuses: political, legal, repressive, administrative, regulatory, monetary, etc., see (Clark and Dear 1984).

conditions, reduces a state's ability to generate revenue (e.g. ability to collect taxes) and in turn diminishes its ability to deliver public goods and services. The lack of economic resources also inhibits the development of viable state institutions. The absence of economic stability usually leads to social and political unrest which forces many poor states to put overemphasis on military and police power as an instrument of control.

The *form* of any future Palestinian state will ultimately depend on the manner in which the main territorial, economic, and political problems facing it are resolved. The nature of these problems and the sufficiency of their resolution will also affect the development of a viable Palestinian state *apparatus* capable of performing the *functions* of a modern state. The potential effects of the Oslo and Cairo agreements (see Chapter 1) on the territorial and political make-up of any future Palestinian polity are discussed in the next chapter.

CHAPTER 3

MAIN PROBLEMS OF IMPLEMENTATION

This chapter focuses on the main territorial, political, and economic problems facing the formation of a Palestinian state. These problems will make it difficult to meet the classical requirements²⁷ of statehood for Palestinians and no viable independent Palestinian state can be formed without their adequate resolution. In addition, the nature and political make up of any future Palestinian political entity will ultimately depend on the ways these problems are addressed (see Chapter 4).

These problems and obstacles are discussed in the context of the 1993 PLO-Israeli Declaration of Principles (DOP) and the 1994 Agreement on the Gaza Strip and the Jericho Area (*hereafter* the Cairo Agreement). The potential effects of the DOP and Cairo Agreements in mitigating or exasperating the effects of these problems are explored in this chapter.

Specifically, this chapter analyzes the main obstacles and problems associated with the following issues: (1) the territorial definition and delimitation of a Palestinian state, (2) the determination of Palestinian citizenship and political representation, (3) the establishment of a viable and independent Palestinian economy, and (4) the specification and execution of the functions and responsibilities of a Palestinian state apparatus.

²⁷ Discussed in Chapter 2.

Main Territorial Problems

An internationally recognized state must have a defined and delimited territory. It should also have sovereignty and jurisdiction over that territory. Accordingly, for any future Palestinian political entity to qualify as a state it needs to have territorial sovereignty and jurisdiction over a clearly demarcated territory.

The PLO's present goal of creating a Palestinian state in the West Bank and Gaza strip is faced with serious territorial obstacles.²⁸ Israel, so far, objects to the creation of a Palestinian state in these geographical areas (see Table 1), and many Israeli territorial practices clearly interfere with the realization of such a goal.

One of the most serious obstacles to the attainment of a national territory for a Palestinian state is manifested in the presence of a large number of Jewish settlements throughout the occupied Palestinian territories including East Jerusalem. Since 1967, Israel has established over 200 Jewish settlements in the West Bank and Gaza. These settlements were built in "blocks" which ensured the fragmentation of Palestinian control over land and resources and limited the spatial expansion of Palestinian villages and towns. The spatial distribution of Jewish settlement also divided the Palestinian population into discontinuous clusters which makes the formation of a "physically unified" Palestinian ecumene extremely difficult, and thus makes the creation of a Palestinian state much harder

²⁸ Prior to November 1988, the declared aim of the PLO was the establishment of a secular democratic state for Muslims, Christians, and Jews, over the whole territory of British Mandatory Palestine. This goal was dropped for a two-state solution at the November 1988 session of the Palestine National Council meeting in Algiers.

TABLE 1
Land Area
of Israel, West Bank, and Gaza Strip
Within the Limits of the Armistice Lines of 1949-1950 (Green Line)

Land Area†	Size of Territory
Israel, West Bank & Gaza Strip	27,365 km ²
Israel	20,500 km ²
West Bank & Gaza strip	5,865 km ²
West Bank	5,500 km ²
Gaza Strip	365 km ²

† Excluding "No Man's Land" of the armistice agreements of 1949-1950.

Source: McColl and Newman (1992, p. 343).

(Cohen 1986, p. 96) (see Figures 9 & 10).²⁹ Many Israeli settlements were placed directly on the “Green Line” (the 1949 armistice line that used to separate Israel from the occupied territories before the 1967 war) in order to effectively erase it (Newman 1994). By “straddling” the Green Line, Jewish settlements obscured the geographic limits of military occupation and Israeli state sovereignty. This created the condition for possible future annexation of large portions of the occupied territories by Israel (Settlement Watch 1991). The placement of settlements on the Green Line also created a buffer zone which prevented “territorial continuity” of Arab villages in the Triangle region (within pre-1967 Israel) with Palestinian villages located beyond the Green Line in the West Bank (Newman 1994, p. 94) (see Figure 11).

Israeli attempts to erase the Green Line reflect the fact that Israel has refused to recognize the Green Line as a basis for future border demarcation between itself and any future Palestinian entity. All previous Israeli settlement plans, whether advocated by the right wing Likud or the Labor Party, reflect this attitude (see Figures 12 & 13). The same is true of the settlement plans proposed by the World Zionist Organization, the organization assigned by the Israeli government to coordinate and administer settlement activities in the occupied territories (see Figure 14).³⁰

²⁹ Jansen (1993) argues that Israeli settlement activities will lead to the creation of four “cantons” where Palestinians will be “grouped” and restricted to. These cantons are located in northern, central, and southern parts of the West Bank and in East Jerusalem.

³⁰ By delegating the settlement administration to the World Zionist Organization (WZO) the Israeli government can deny direct involvement in the settlement process. Thus “by operating outside the turbulent arena of Israeli politics, the WZO ensures that settlement continue according to long-range plans” (Settlement Watch 1991, p. 3). For more information on Israeli settlements see Jerusalem Media and Communication Center (JMCC 1991a,b).

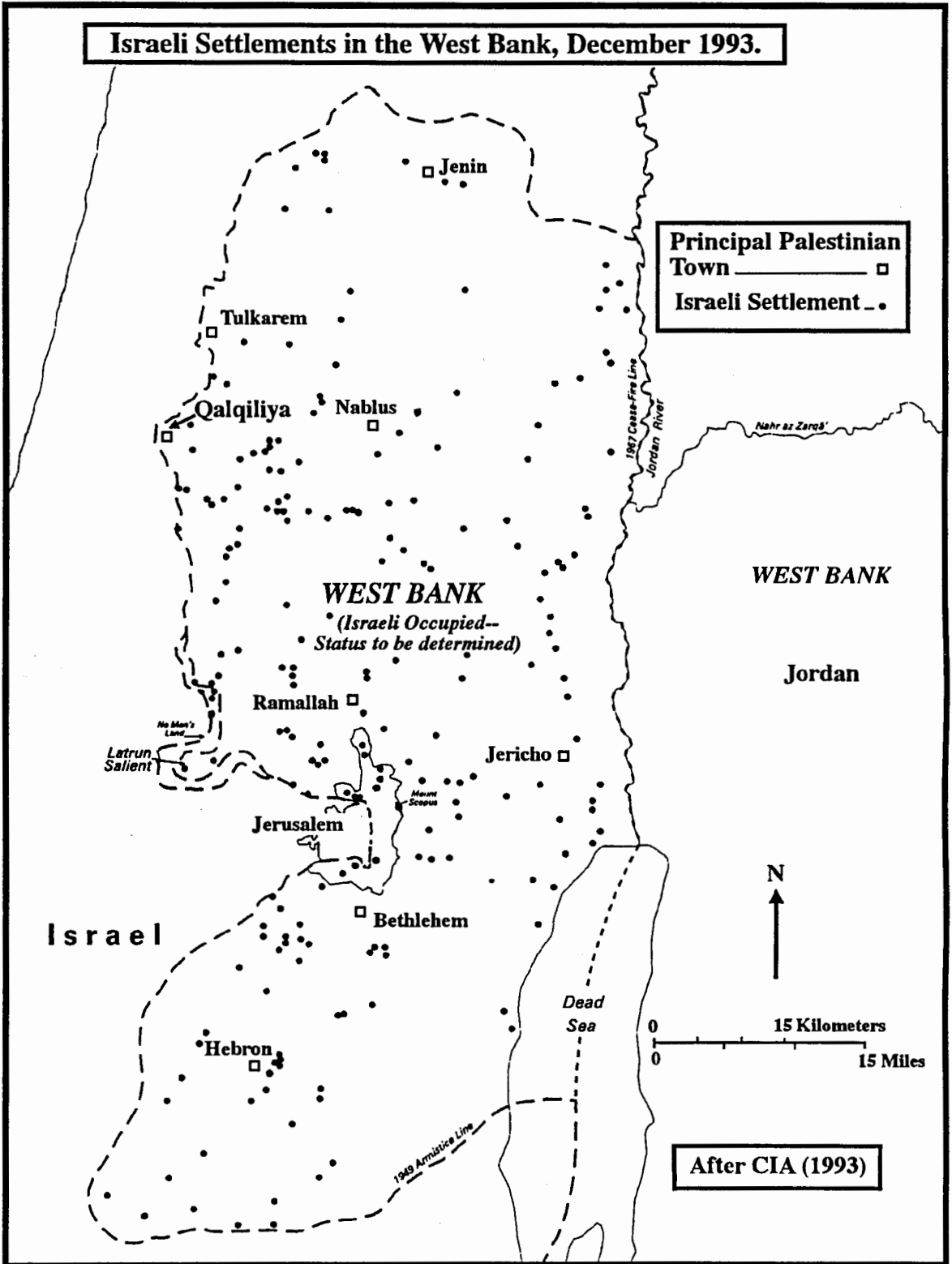


Figure 9. Israeli Settlements in the West Bank, December 1993.

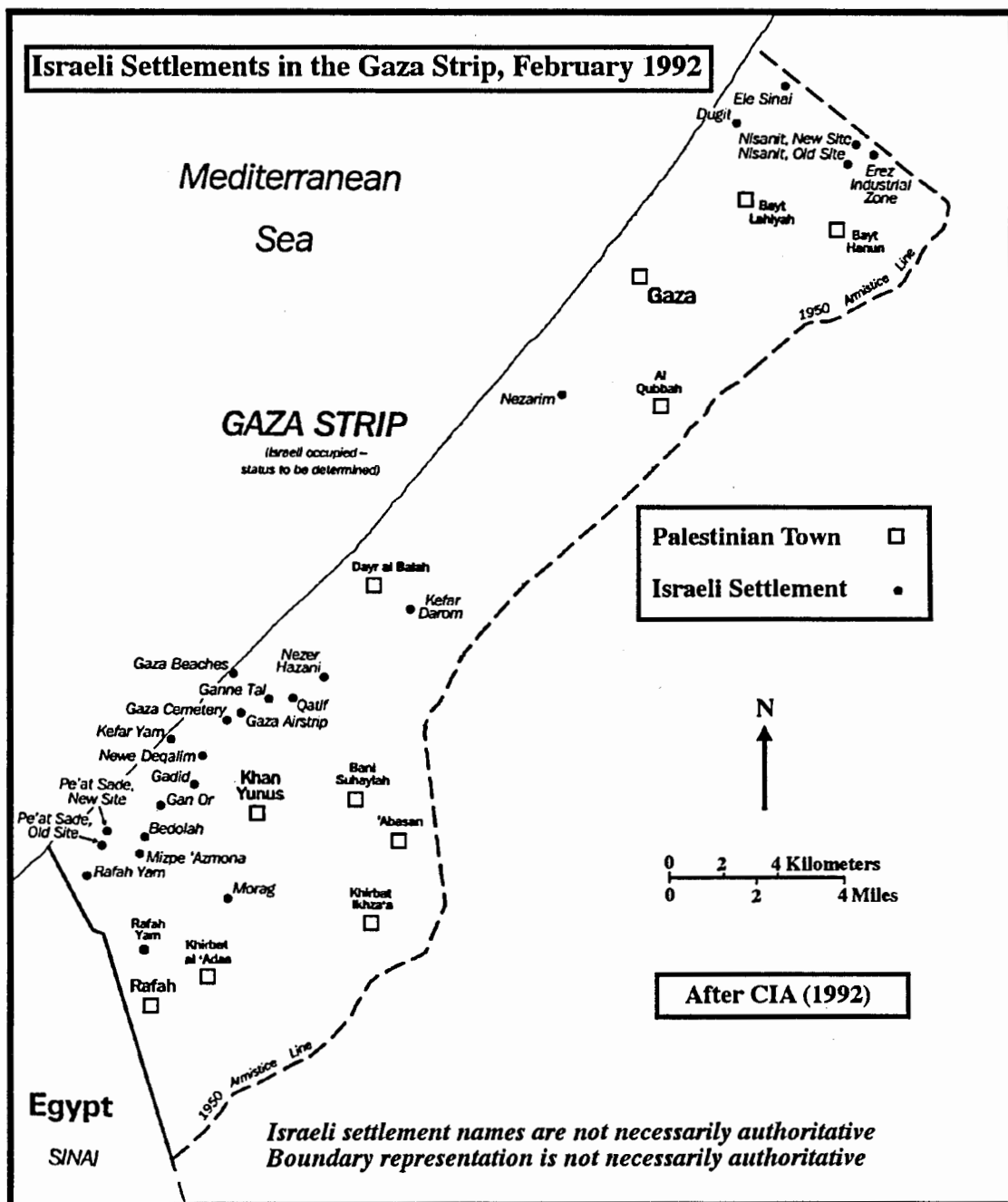


Figure 10. Israeli Settlements in the Gaza Strip, February 1992.

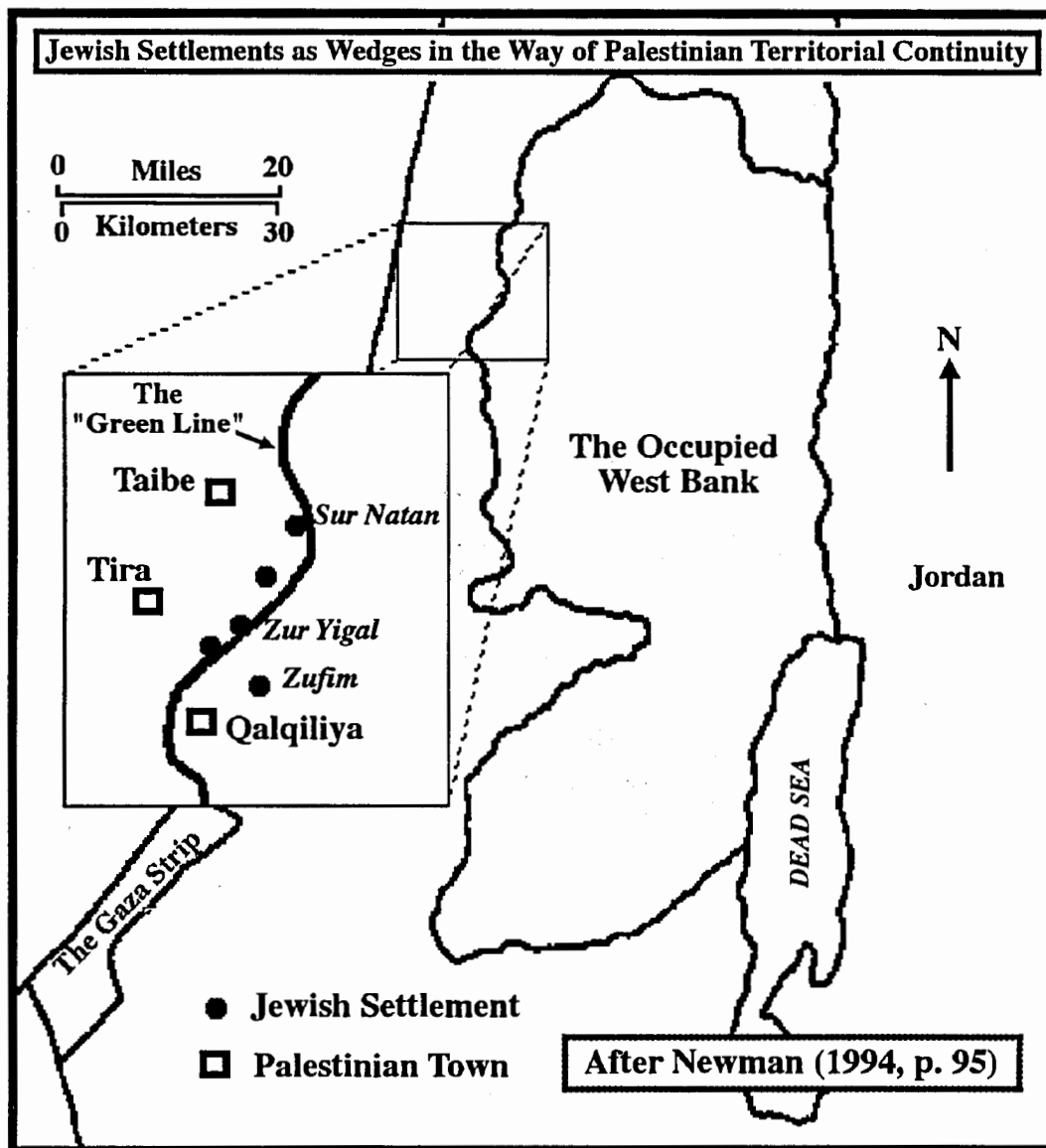


Figure 11. Jewish Settlements as Wedges in the Way of Palestinian Territorial Continuity.

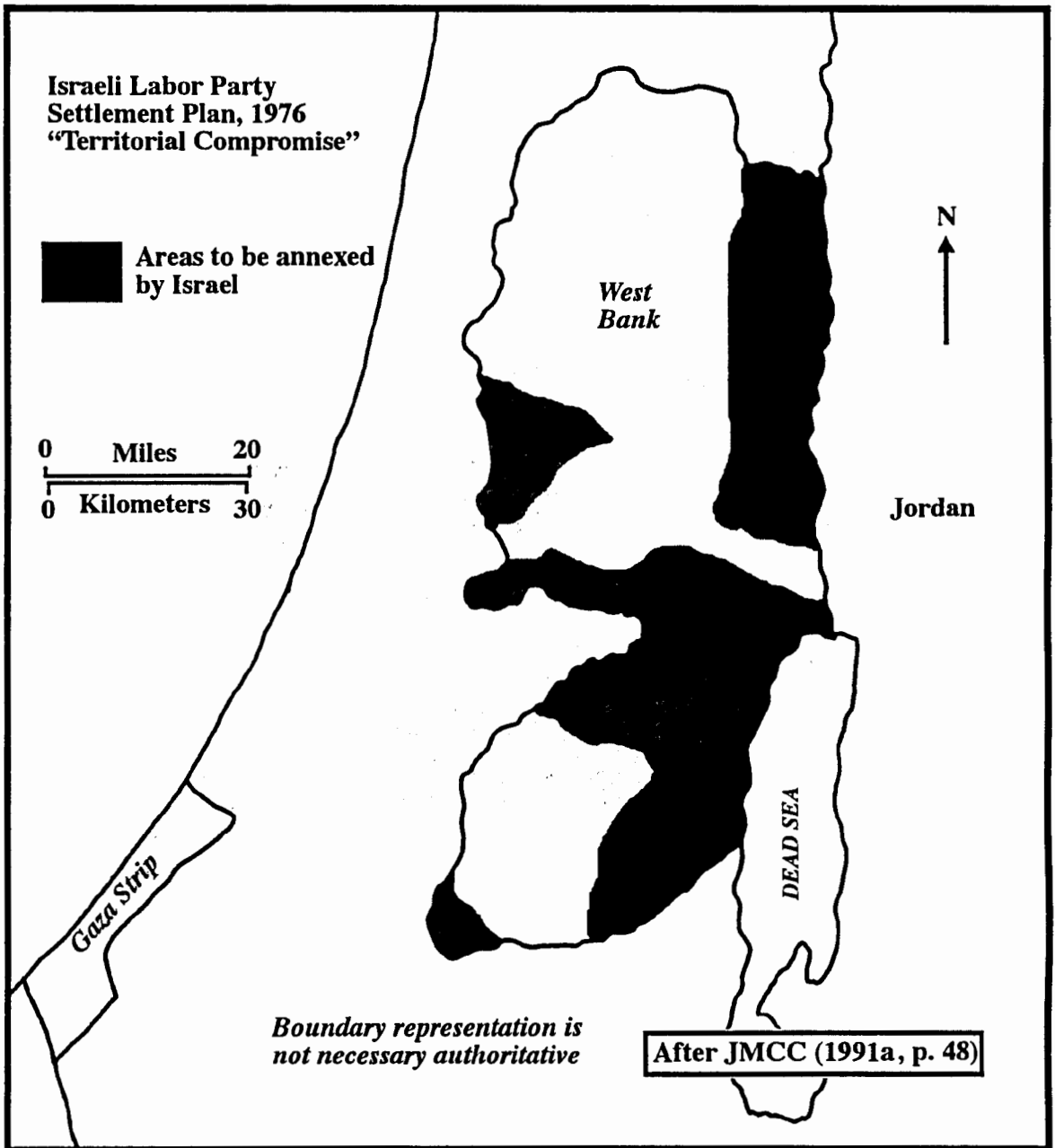


Figure 12. Israeli Labor Party Settlement Plan, "Territorial Compromise," 1976.

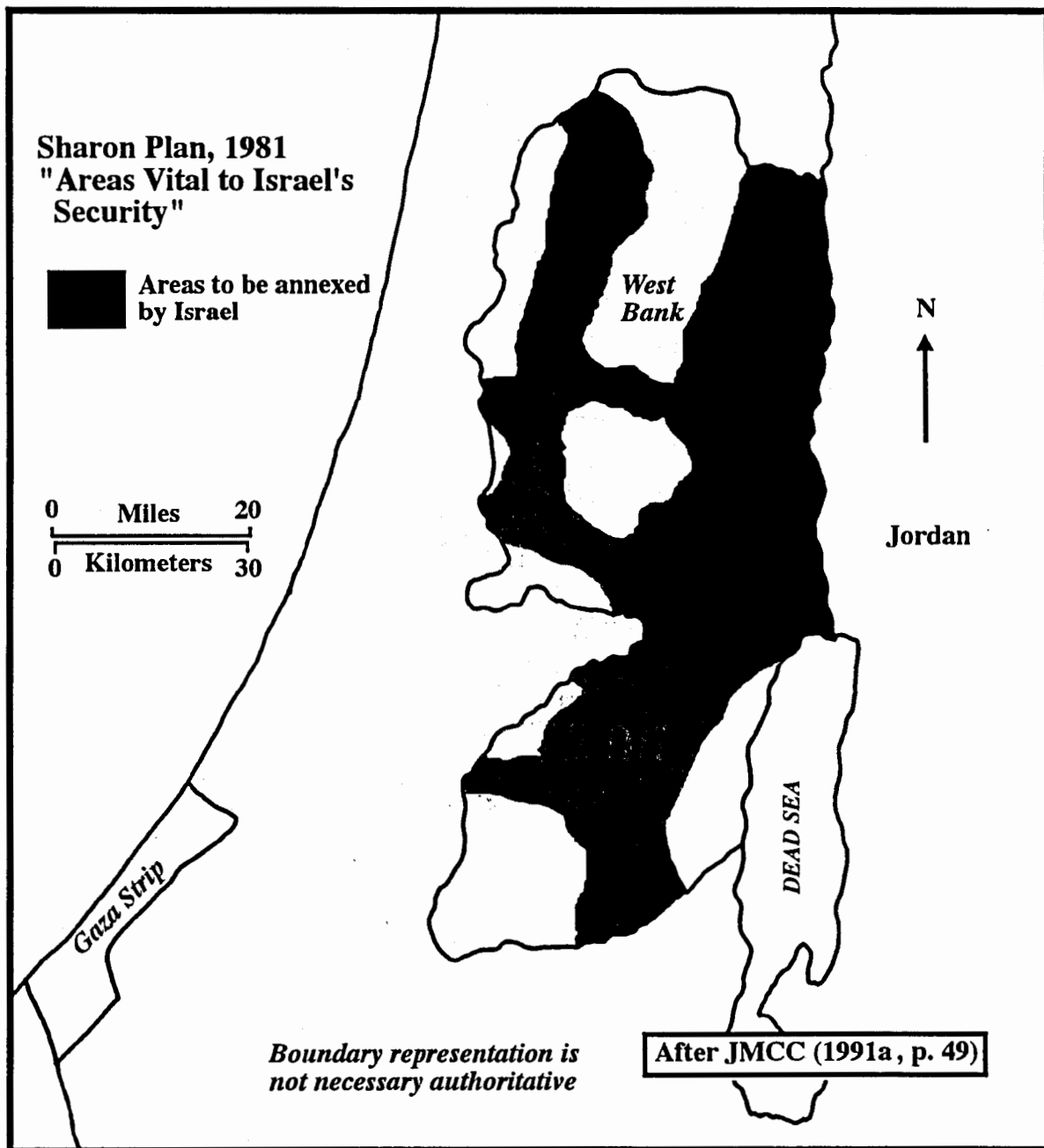


Figure 13. Sharon Plan, "Areas Vital to Israel's Security," 1981.

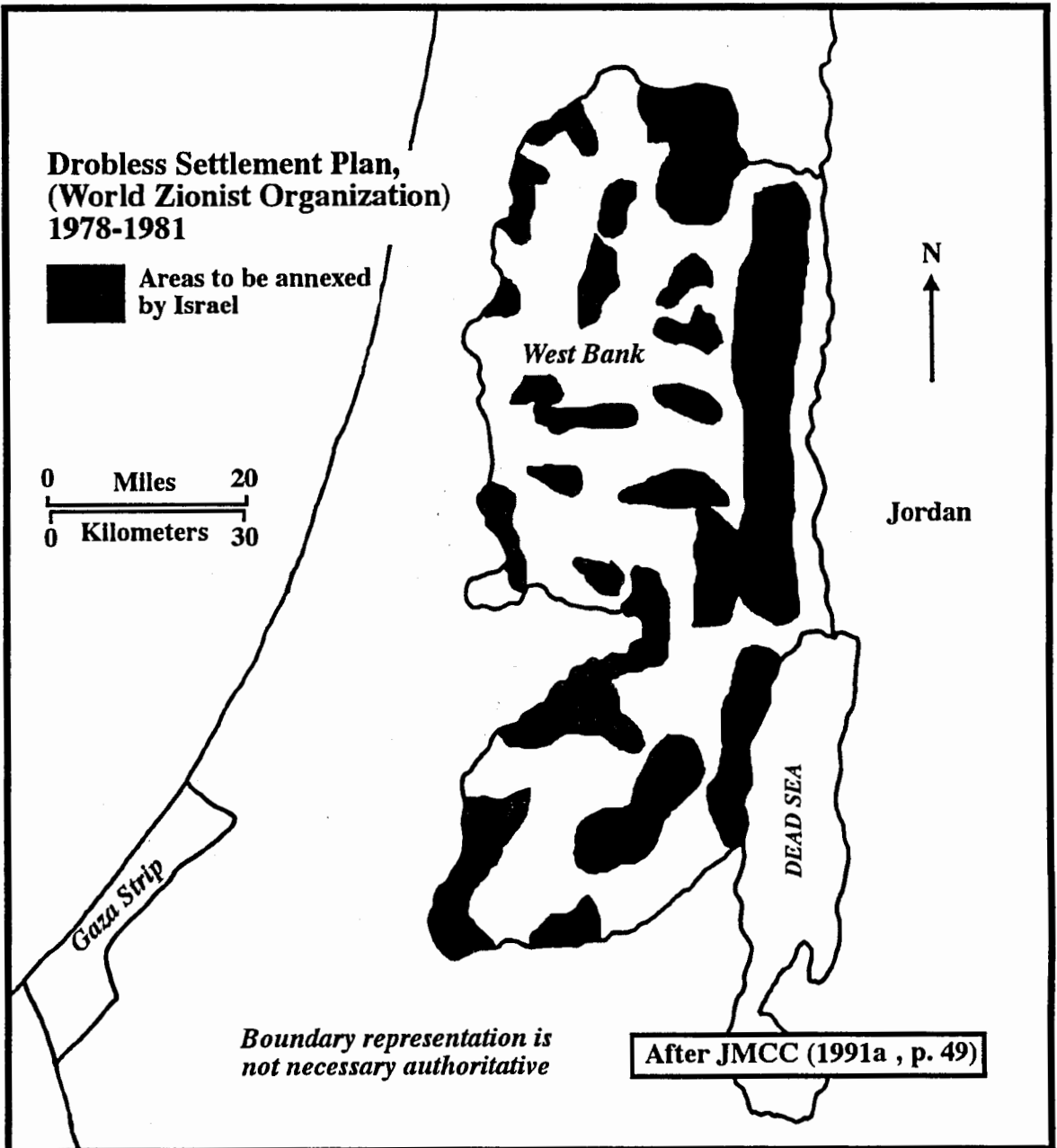


Figure 14. Drobless Settlement Plan, (World Zionist Organization), 1978-1981.

The settlements also serve another purpose: to tip the “demographic balance” in the region in favor of Israeli Jews and against the local Palestinian population³¹ (Newman 1985). As of November 1994, there were about 310,000 Jewish settlers in the occupied territories including East Jerusalem (Aronson 1994). In the late 1980's and early 1990's the increasing pace of settlement activities occurred in tandem with Israeli efforts to absorb thousands of new Soviet Jewish immigrants, numbering over 500,000 by the end of 1994.

Neither the recent PLO-Israeli Declaration of Principles (DOP) nor the Cairo Agreement offers any solution to the problem of Jewish settlements. In fact, the DOP delays any discussion of this issue to final status negotiations which are due to start in May of 1996. According to the DOP, Israel is not obliged to remove any Jewish settlement during the five-year interim period.

Although Article IV of the DOP provides that “the jurisdiction of the [future Palestinian] Council will cover West Bank and Gaza Strip territory,” this jurisdiction will not include the Israeli settlements or the whole of the territory of the West Bank or Gaza. By refusing to adopt Palestinian proposals to include the words “all” or “the” before the phrase “West Bank and Gaza Strip”, Israeli negotiators made it clear that the territorial jurisdiction of the Council will not necessarily cover the entire area of the West Bank and Gaza Strip. The language of Article IV of the DOP is similar to the wording of U.N. Security Council Resolution 242 of 1967 which deliberately omitted the words “the” or “all” before the word “territories” as in the phrase: “withdrawal of Israeli armed forces from

³¹ Newman (1985) maintain that the emerging pattern of Jewish settlement in the West Bank is not different from that of a traditional process of colonization but with the added advantage of territorial continuity with the core Israeli population.

territories occupied in the recent conflict" (Singer 1994, p. 4). This indecisiveness in the wording of the DOP may provide Israel with a basis to demand the further exclusion from the Palestinian Council's territorial jurisdiction such areas as "state lands" or "confiscated lands" which are located outside Israeli settlements. This would have a dramatic effect on any future territorial definition of a Palestinian state because almost 65% of the West Bank and 40% of the Gaza Strip are still under direct Israeli control.³²

Similarly, the DOP states that the jurisdiction of the future Palestinian council will not include Israelis under any circumstances.³³ According to the Agreed Minute to Article IV of the DOP "Israelis will not be subject to laws legislated by the Council, will not be subject to arrest or detention by Palestinian police officers, and will not be subject to the jurisdiction of Palestinian courts" (Ibid., p. 7).

Moreover, the jurisdiction of the council will only cover the "powers and responsibilities" transferred to it by the Israeli military government. In addition to

³² Israel's direct control of Palestinian land includes categories like state lands, closed military areas, confiscated lands, "unregistered lands," and "absentee lands." In 1979, the Israeli military government devised a convoluted process to appropriate Palestinian land. This process relied on the distinction in the old Ottoman land law between state-owned land (*miri*) and privately-owned land (*mulk*). Any land that was not properly registered during the British mandate or during Jordanian and Egyptian control of the West Bank and Gaza Strip, was classified as state-owned *miri* land, and hence subject to confiscation by Israel (Wing 1993, p. 107).

³³ The DOP makes no distinction between Israeli civilians and soldiers, or between Israeli settlers in the West Bank and Gaza Strip and Israelis traveling through the occupied territories from Israel. All Israelis, without distinction, "shall remain under exclusive Israeli jurisdiction whether they are in the settlements or military locations or anywhere else in the West Bank and Gaza strip" (Singer 1994, p. 7).

the exclusion of Jewish settlements and settlers from Palestinian jurisdiction, Israeli authorities will continue to have control over Palestinian zoning and land-use decisions during the implementation of the DOP (Aronson 1994, p. 115). This is consistent with the long-held Israeli view that future Palestinian Jurisdiction should only apply to the Palestinian people, but not to land and natural resources. For example, Israel will continue to have *de facto* control over all water resources in the occupied territories. Water resources will be excluded from Palestinian jurisdiction throughout the 5-year interim period. Since the DOP does not mention the issue of water, it will be deferred to the final status negotiations by default. However, it is unlikely that Israel will agree to future Palestinian jurisdiction over water resources. Israel considers access to Palestinian water as a strategic issue.³⁴ Close to 40% of the groundwater Israel uses originates in the occupied territories with two of the three main aquifers on which Israel depends lie directly under the West Bank (Elmusa 1993). Continued Israeli control over Palestinian water undermines the sovereignty of any future Palestinian polity. Overall, the DOP allows the Israeli military government to remain the ultimate sovereign power in the occupied territories throughout the interim period.

Another problem that could jeopardize the Palestinian drive for sovereignty and jurisdictional control may result from the proposed redeployment of Israeli troops. Article XIII of the DOP calls for a redeployment of Israeli forces

³⁴ For more discussion of the strategic importance of water resources in the Arab-Israeli conflict see Nijim (1990) and Casa (1991).

in the West Bank³⁵ “outside populated areas” “not later than the eve of elections for the [Palestinian] Council.” Khalidi and Agha (1994) argue that this process of redeployment will diminish future prospects of an Israeli withdrawal from the occupied territories in two ways:

First, in order for Israeli forces to fulfill their tasks as specified in the DOP (security for Israelis and settlements, an defense against external threats--see Article VII), they must be able to reach almost any part of the West Bank at relatively short notice. In other words, “redeployment” may require such a pervasive Israeli military presence on Palestinian territory as to render any rearrangement of this presence both operationally and politically insignificant. Second, any attempt to form large self-contained blocs of settlements to which Israeli forces could “redeploy” along the lines of Gaza [i.e., similar to what occurred in Gaza in July of 1994] would pose a serious threat to the territorial and political integrity of the Palestinian Authority. From a Palestinian perspective, these would appear as precedential and prejudicial to the final-status negotiations, particularly in view of the Labor Party’s declared aim of partial annexation under the guise of “territorial compromise.” (Quoted in *Journal of Palestine Studies*, No. 2, Winter 1995, p. 102)

All current Israeli settlement activities and their locational patterns indicate that Israel continues to pursue some version of the Allon Plan, the master plan formulated by Israeli Labor Party Minister Yigal Allon in the late sixties, and which served as the unofficial guide to the deployment of Jewish settlements in the occupied territories until 1977. The premise of this plan was that “Israel must have defensible borders. These must be based on the Jordan River and the Rift Valley, and the Judean Desert. Defensible borders also require a chain of Jewish settlements which themselves must be under Israeli sovereignty, though without the annexation of a large Arab population” (Inbari 1994, p. 13).

³⁵ Although the DOP called for the withdrawal of Israeli troops from the Gaza strip and the “Jericho area” (Article XIV) what actually took place was a redeployment of Israeli forces outside Palestinian populated areas and around the nearby Jewish settlements (See Figures 17 & 18).

The latest version of the plan (1970), shown in Figure 15, provides for the annexation by Israel of a 20 kilometer-wide zone from the River Jordan to the periphery of the Palestinian settlements on the West Bank mountain ridge, running southward from the city of Nablus to Hebron. It also provides for the annexation of the "Greater Jerusalem area", from Nebi Samwil to Bethlehem, the Etzion bloc of Jewish settlements, the Judean Desert up to Hebron (including the Jewish settlement of Kiryat Arba) and the Sam'u-Yata road. The densely-populated Palestinian areas on the West Bank mountain ridge and the northern part of the Gaza Strip were to be handed over to Jordan (Peace Now 1992, pp. 148-154).

Over all, this plan would have Israel annex half of the total area of the West Bank and three quarters of the Gaza Strip. However, the recent signing of peace agreements between Israel and the PLO is likely to diminish any future Jordanian participation in a modified version of the Allon Plan. This, nonetheless, does not appear to alter the core of the plan, i.e., the annexation of large portion of Palestinian territory. Frequently, Israeli officials publicly support the implementation of modified versions of the Allon plan. In a 1994 interview, Deputy Foreign Minister Yossi Belien, one of the architects of the recent peace agreement with the PLO, affirmed that "as an idea, it [the Allon plan] is far from being the worst one. The Allon plan will still be one of the options for a permanent solution" (Press 1994, p. 185). This kind of statement reinforces Palestinian perception of the settlements as "creeping annexation" (Cohen 1986, p. 40).

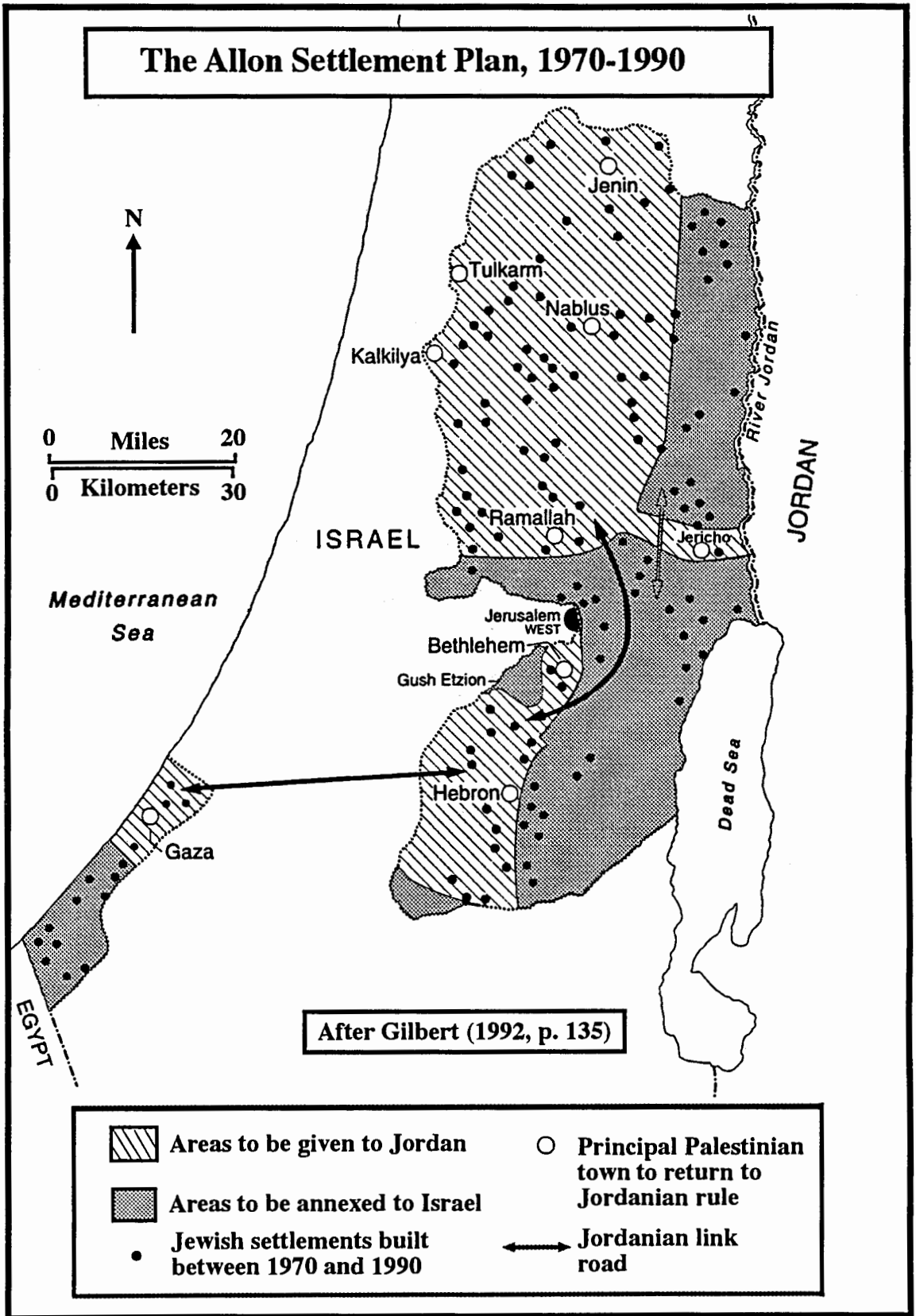


Figure 15. The Allon Settlement Plan, 1970-1990.

The building of Israeli settlements and other Israeli restrictions on Palestinian access to land resulted in record levels of Palestinian population densities, especially in the Gaza Strip. In 1992, the Palestinian population of the Gaza Strip was about 900,000, with refugees constituting 73% of the total Palestinian population.³⁶ The overall Palestinian population density in the strip reached up to 9,300 persons per square mile when measured in terms of land available for Palestinian use.³⁷ By contrast, the density levels for Jewish settlers in Gaza averaged 115 persons per square mile (Roy 1993, p. 22). For any future territorial solution to succeed it must provide Palestinians in the Gaza Strip with more “breathing space.”

Another difficult territorial issue is the future status of the city of Jerusalem.³⁸ The PLO considers the city to be the site of the capital of any future Palestinian state, a goal vigorously rejected by Israel. All Israeli governments, without exception, have declared Jerusalem to be the “eternal and undivided capital of the State of Israel.” Immediately after capturing Jerusalem in 1967, the Israelis embarked on an intense campaign to “Israelize” the city in order to alter

³⁶ There are various population estimates for the Gaza Strip. The 900,000 figure for 1992 is Roy’s (1993). For other estimates see Tables 2 and 3 of this thesis.

³⁷ This is one of the highest population densities in the world.

³⁸ Jerusalem was divided as a result of the 1948 war. Israel controlled the western part of the city while the eastern part became under Jordanian control. As a result of the 1967 six-day war, East Jerusalem fell under Israeli military occupation along with the West Bank and the Gaza Strip.

its international legal status³⁹ and make its repatriation more difficult (Dumper 1992, p. 32). The main objectives of Israel were clear from the first days of the occupation: to limit the Arab population of Jerusalem to a manageable minority and to build as many Jewish settlements in East Jerusalem as possible in order to extend “irreversible” Israeli sovereignty over the city (Rowley 1984, p. 201). These settlements were constructed with a “fortress-like” design in order to serve as a defensible perimeter against any future Arab attack from the east or south. Also these Israeli settlements restricted the growth of Arab East Jerusalem and separated it from its West Bank hinterland (Dumper 1992, p. 52; Efrat and Noble 1988, p. 400). The Israelis built more than a dozen of these settlements by 1992 radically altering the Arab character of East Jerusalem (see Figure 16).

The PLO-Israeli DOP does not solve the dispute over Jerusalem and delays any discussion of its political fate to final status negotiations. As the time approaches when Jerusalem will be on the agenda of the peace talks (May 1996), the Israeli authorities have been accelerating settlement activities in order to create what is commonly referred to as *facts on the ground*. Israeli politicians are not apologetic about their stance on Jerusalem. As Israeli Deputy Defense Minister Mordechai Gur put it: “Israel will create territorial continuity throughout Greater Jerusalem, an achievement which Israel will present to Palestinian negotiators as a geographic fact” (Press 1994, p. 185).

Israeli settlement policy in the West Bank and Gaza, including East Jerusalem, will indeed make the prospects of attaining a non-fragmented territory

³⁹ According to United Nations Security Council Resolution 181, of November 29, 1947, Jerusalem and Bethlehem were to be regarded as *corpus separatum* under UN jurisdiction, see Chapter 1.

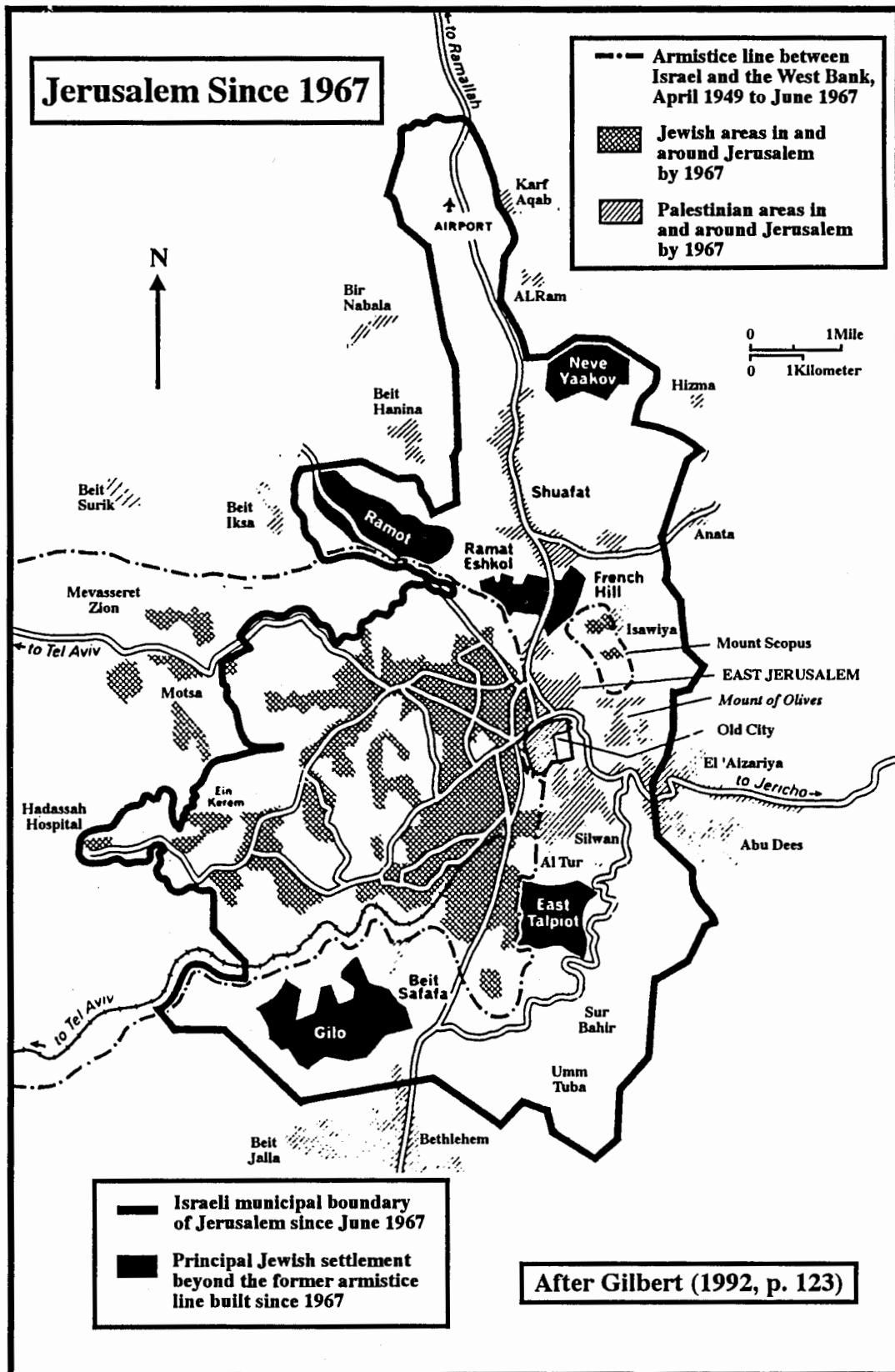


Figure 16. Jerusalem Since 1967.

for a Palestinian state much more difficult. As long as the Jewish settlements are not removed, a stable territorial solution based on UN Security Council Resolution 242 seems impossible.⁴⁰ PLO Chairman Yaser Arafat expressed his frustration with Israeli settlement policies saying that if they [the settlements] were not stopped any future Palestinian state will end up looking like “Swiss cheese full of holes” (Mahoney 1994). Territorial discontinuity, therefore, will remain a major problem in establishing sovereignty and Jurisdictional control for any future Palestinian entity, let alone a full functioning state.

Using the argument of security needs as a pretext, Israel is likely to demand extra territorial rights over Jewish settlements, military installations, major highways and roads in the occupied territories during and probably well beyond the end of the proposed 5-year interim period.

Another major territorial problem in creating a future Palestinian state is the physical separation between the West Bank and the Gaza Strip. The two areas are separated, on average, by a 90-mile wide area controlled by Israel. This physical separation can have serious ramification on the ability to create a functioning unitary Palestinian state including both areas. Territorial discontinuity can hamper effective economic integration, and complicate administrative arrangements. Although the 1994 Cairo Agreement provided for guaranteed safe passage by Palestinians between Gaza and Jericho, Israel had not

⁴⁰ UN Security Council resolution 242, of November 22, 1967, calls for the “withdrawal of Israeli armed forces from territories occupied in the recent conflict” and the “termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force.”

yet fulfilled this obligation, and passage between the two areas remains subject to seemingly arbitrary Israeli restrictions. There are of course many examples of countries that have been able to effectively overcome territorial discontinuity between their national territories as in the case of the United States (Alaska and Hawaii), Malaysia, Indonesia, etc. On the other hand there are countries for which a geographic separation has proved fatal to their ability to maintain a unitary state, such as East and West Pakistan which split in 1971, the former becoming Bangladesh.

The territorial delimitation of any future Palestinian entity will certainly be problematic. During the signing ceremony of the Cairo Agreement, PLO Chairman Yaser Arafat refused to sign the six maps that defined the territorial extent of Palestinian autonomy in the Gaza Strip and the "Jericho Area." Israel and the PLO disagreed on the size of the "Jericho Area": the PLO wanted a geographical expanse covering 300 square kilometers while Israel insisted that the Jericho Area will not exceed 26 square kilometers. Finally, Chairman Arafat agreed to sign the maps after adding one sentence (in Arabic) next to his signature saying that these maps are still subject to further negotiations (see Figures 17 & 18).

In any event, the territorial extent of any future Palestinian polity will not be determined until the conclusion of the final status negotiation due to start in May of 1996. The PLO-Israeli DOP stipulates that the final status negotiations should lead to the implementation of U.N. Resolutions 242 and 338, but the territorial ambiguity in the wording of both these resolutions (as discussed above) will further complicate these negotiations. All Israeli territorial practices strongly

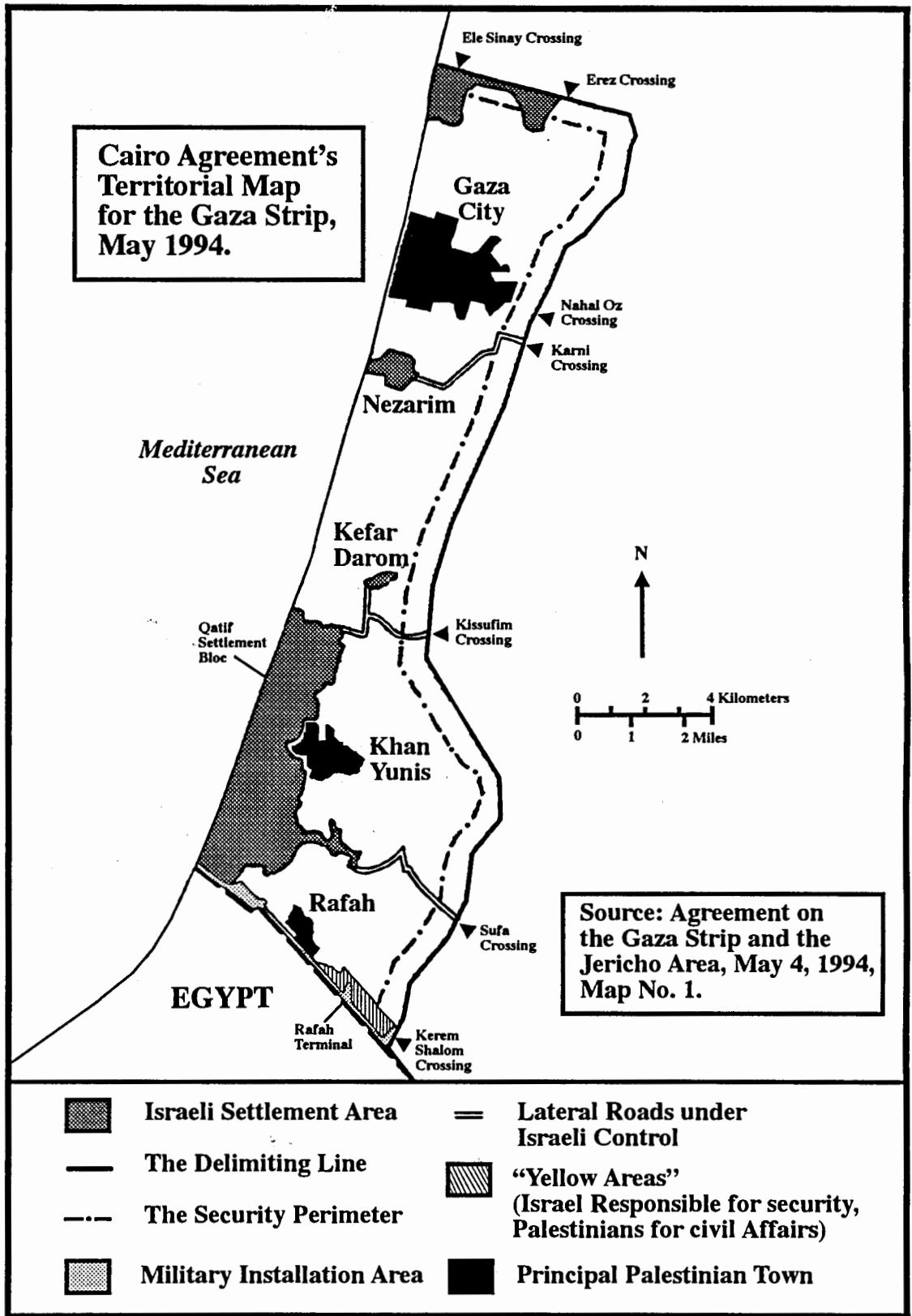


Figure 17. Cairo Agreement's Territorial Map for the Gaza Strip, May 1994.

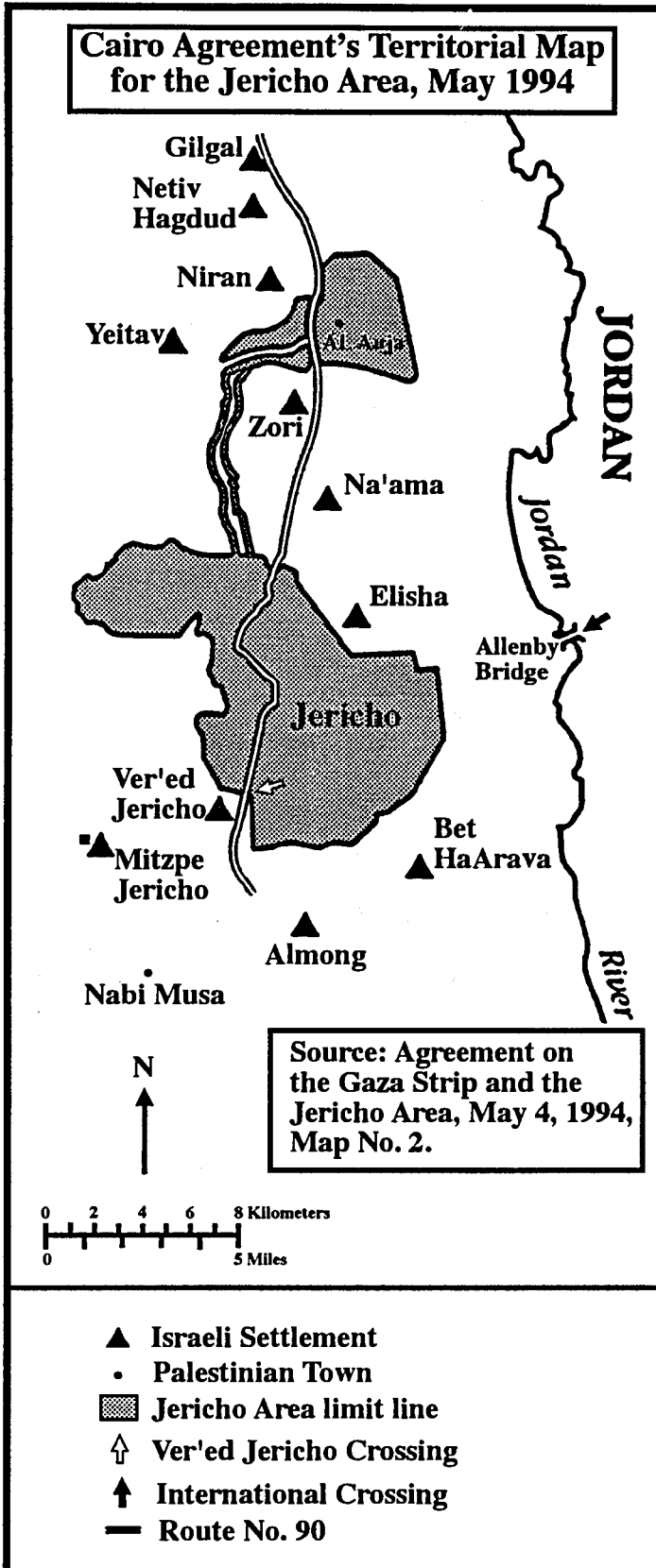


Figure 18. Cairo Agreement's Territorial Map for the Jericho Area, May 1994.

suggest that Israel will not accept any future territorial solution based on the lines defined by the 1947 U.N. partition resolution, or the armistice lines of 1949-1950.

Main Problems of Citizenship and Political Representation

One of the most important issues any future Palestinian state will need to resolve is that of citizenship. Although the PLO is demanding a state within the geographic limits of the West Bank and Gaza,⁴¹ the Palestinian population there is less than one third of the total worldwide Palestinian population. The majority of Palestinian live as refugees in Jordan, Syria, and Lebanon and cannot be ignored in any future political solution of the Arab-Israeli conflict (see Tables 2 & 3).

The 1988 symbolic Declaration of Independence of the State of Palestine called for the creation of a state for "all Palestinians, wherever they may be." The fulfillment of this declaration would involve the granting of the right of return to the thousands of Palestinian refugees displaced from Palestine as a result of the 1948 and 1967 wars. The PLO-Israeli DOP, however, delays any negotiations of the fate of the 1948 refugees to final-status talks that are supposed to start in May of 1996. While the DOP does provide a framework for discussing the status of Palestinians displaced in the 1967 war, it does not use the term "refugees" to

⁴¹ Prior to the 1988 session of the Palestine National Council meeting in Algiers, in which the PLO accepted a two-state solution to the Palestinian-Israeli conflict, the PLO declared aim was the establishment of a "secular democratic state" in all of the territory of Palestine. To achieve that goal the Palestine National Charter stated that "Armed struggle is the only way to liberate Palestine. This is the overall strategy, not merely a tactical phase . . . The liberation of Palestine, from an Arab viewpoint, is a national (qawmi) duty and it attempts to repel the Zionist and imperialist aggression against the Arab homeland, and aims at the liquidation of the Zionist presence in Palestine" (Article 9 & 15). In 1974, the PLO modified its goal by presenting a ten-point "phased program" which called for the establishment of a Palestinian state on any territory liberated from Israel (Hilal 1993, p. 49).

Table 2
Global Distribution of Estimated Current and
Projected Numbers of the Palestinian People
(1986, 1990/91, and 2000)

Country	1986	1990/91	1995	2000
Jordan	1,398,050	1,824,179	2,170,101	2,596,986
West Bank/East Jerusalem	951,250	1,075,531	1,227,545	1,383,415
Gaza	545,100	622,016	726,832	837,699
Israel	608,200	730,000	800,755	919,453
Lebanon	271,434	331,757	392,315	463,067
Syria	242,474	301,744	357,881	410,599
Remaining Arab States	582,894	445,195	516,724	599,389
Rest of World	280,846	450,000	500,000	550,000
Total	4,880,518	5,780,422	6,692,153	7,760,608

Source: Zureik (1994, p. 6).

Table 3
Numbers of the Palestinian People
Refugee/Displaced and Non-Refugee Status
(1990/91)

Region	Refugee/Displaced	Non-Refugee	Total
Jordan	1,824,179	-----	1,824,179
West Bank	430,083	645,448	1,075,531
Gaza	528,684	93,332	622,016
Israel	150,000	580,000	730,000
Lebanon	331,757	-----	331,757
Syria	301,744	-----	301,744
Remaining Arab States	445,195	-----	445,195
Rest of World	450,000	-----	450,000
Total	4,461,642	1,318,780	5,780,422

Source: Zureik (1994, p. 6).

refer to them. By using the term “displaced persons” instead of “refugees” the DOP may undermine the right of the 1967 refugees to membership in any future Palestinian entity.⁴² Article XII of the DOP states that Israel and the PLO:

will invite the Governments of Jordan and Egypt to participate in establishing further liaison and cooperation arrangements between the Government of Israel and the Palestinian representatives, on the one hand, and the Governments of Jordan and Egypt, on the other hand, to promote cooperation between them. These arrangements will include *the constitution of a Continuing Committee that will decide by agreement on the modalities of the admission of persons displaced from the West Bank and Gaza Strip in 1967, together with necessary measures to prevent disruption and disorder.* Other matters of common concern will be dealt with by this Committee. (emphasis added)⁴³

The quadripartite committee mentioned by Article XII of the DOP met for the first time in Amman, Jordan on March 7, 1995. This meeting underscored the major differences between the Israeli and Palestinian positions on the 1967 refugees and on the refugee problem in general. The two sides disagreed on a number of issues including: the criteria defining “displaced persons,” their actual numbers, their international legal status including the right of return, an acceptable timetable for resolving the issue, and Israeli “security needs.” Palestinians estimate the number of the 1967 “displaced persons” to be a little

⁴² The use of the wording “displaced persons” instead of “refugees” stem from Israeli refusal to recognize the international legal status of Palestinian refugees as specified by successive UN resolutions especially UN Security Council Resolutions 194 and 273.

⁴³ This article in the DOP was copied almost word for word from the 1979 Camp David Agreement. Clause III in the Camp David Agreement reads: “During the transitional period, the representatives of Egypt, Israel, Jordan and the self-governing authority will constitute a Continuing Committee to decide by agreement on the modalities of admission of persons displaced from the West Bank and Gaza in 1967, together with necessary measures to prevent disruption and disorder. Other matters of common concern may also be dealt with by this committee.”

over 800,000. Israelis put the number between 200,000 to 220,000. Palestinian chief negotiator Nabil Sha'ath argued that "those who were outside Palestine when the 1967 war broke out and could not return due to war are entitled to repatriation." He also argued that "those who left after the 1967 war and were registered in the civil status records prior to 1967 and could not come back for one reason or another, particularly due to the Israeli authority's intransigence" should be entitled to repatriation ("Amman Meeting" 1995). Sha'ath also petitioned for a quick return of 1967 refugees within the framework of the transitional period. A speedy repatriation of refugees, he said, is needed to help revive a "peace process that is suffering from a dangerous paralysis" (Haberman 1995, p. 3). Israeli Foreign Minister Shimon Peres, by contrast, argued that Israeli security should be the most important element in the refugee talks because a speedy return of "displaced persons" could spark unrest (*Mideast Mirror*, March 9, 1995).

Israel remains strongly opposed to the repatriation of the 1948 Palestinian refugees, and refuses to admit any responsibility for creating the refugee problem in the first place.⁴⁴ Israel continues to reject U.N. Resolution 194 (III) of December 1948 which stipulates that Palestinian refugees "wishing to return to their homes and live at peace with their neighbors should be permitted do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return." The final-status negotiations on this

⁴⁴ In his opening statement to the second meeting of the Refugee Working Group of the multilateral peace talks of the Madrid Peace Conference, in November 1992, the head of the Israeli delegation called the proposition that the "Palestinian refugee problem [was] the result of mass expulsion" is nothing more than a "travesty" (Zureik 1994, p. 12).

issue are expected to be highly complicated and certainly protracted. Israel's ban of the return of the 1948 refugees will probably extend well beyond the end of the 5-year transitional period, and maybe indefinitely.

The unresolved refugee problem complicates the issue of Palestinian citizenship, since the PLO, Israel's sole Palestinian negotiating partner, claims to represent all Palestinians, whether inside or outside the occupied territories. In fact, all of the PLO leadership, including Yaser Arafat and the most of the Palestinian negotiating team, are from the Diaspora, not from the West Bank or Gaza, i.e, they are refugees themselves. Salam (1994) argues that failure to adequately address the refugee problem will "threaten the *legitimacy* of the new [Palestinian] regime and raise doubts about its *representativity* of all Palestinians" (p. 22). On the other hand, it is important to note that there are close to 800,000 Palestinians who live inside Israel and are considered "Israeli citizens." It is unclear if the creation of a Palestinian state would potentially affect their status, or if some of them might wish to obtain dual citizenship.

Another major problem facing the creation of a Palestinian state is the issue of political representation. At the 1974 Arab Summit in Rabat, the Arab League declared the PLO as the "sole legitimate representative of the Palestinian people." By the beginning of the 1990s and as a result of the dramatic events of the Palestinian Intifadah the PLO's claim to be the "sole representative of the Palestinian people" was being challenged by a growing Islamic movement in the region, especially from the Hamas and the Islamic Jihad movements. These two organizations vigorously reject all of the peace agreements between the PLO and Israel and consider them nonbinding on the Palestinian people. The two

organizations have publicly condemned the recent Oslo Agreement and have vowed to wreck it.

A collection of Palestinian secular forces, mainly the Popular front for the Liberation of Palestine (PFLP) and the Democratic Front for the Liberation of Palestine (DFLP), have also expressed their opposition, not to the PLO per se, but to the current PLO leadership's (i.e., Arafat and his Fatah movement) style of handling the peace talks with Israel.⁴⁵ These secular forces reject the PLO-Israeli DOP and Cairo Agreements because they see in them a retreat from the "inalienable rights of the Palestinian people," affirmed by many United Nations resolutions, especially General Assembly Resolution 3236 (XXIX).⁴⁶ In February 1995, several secular forces formed a political opposition front under the name of Al Tajammu' Al-Filastini (Palestinian Grouping). In its first public statement this group outlined its reasons for opposing the DOP:

The Oslo Agreement [DOP] was nothing but a bottleneck into which the Palestine question was pushed to beleaguer the Palestinian people and bring them to their knees. The agreement was nothing but a logical result of the policy of relinquishment adopted by the leadership dominating the PLO. Results that have surfaced now clearly emphasize that the agreement was simply intended to serve Zionist interests at the expense of inalienable Palestinian rights. The Oslo Agreement was the result of the policy of single-handedness and disregard for the PLO's representative bodies. Before and after the Madrid conference, the [PLO's] domineering

⁴⁵ In 1991, several Islamic and secular Palestinian opposition groups formed a loose political front against the Madrid Peace Conference. This front is usually referred to as the "Ten Factions."

⁴⁶ United Nations General Assembly Resolution 3236 (XXIX) of 1974 "1. Reaffirms the inalienable right of the Palestinian people in Palestine, including: (a) The right to self-determination without external interference; (b) the right to national independence and sovereignty; 2. Reaffirms also the inalienable right of the Palestinian to return to their homes and property from which they have been displaced and uprooted, and calls for their return" (Zureik 1994, p. 9).

leadership decisions deviated from the Palestinian National Charter in a way that contradicted the decisions of national councils and other representative bodies. It has become clear that, even if we presume that the single-handed policy is adopted in good faith, it cannot but lead to dire and gloomy consequences. The Oslo Agreement was signed even without the closest individuals to the domineering leadership . . . Logic stipulates that Yaser Arafat should admit his utter failure and submit his resignation. The Palestinian Grouping believes that the alternative to the failing leadership policies is to refer the issue to the people because they are able to take control of things and restore the pan-Arab, Islamic and humane dimensions and depth to the Palestine question. (“New Palestinian Group” 1995)

The PLO faces formidable political challenges. On November 18, 1994, a clash between the Palestinian Authority police and the supporters of the Hamas movement in Gaza resulted in 12 fatalities and close to a hundred injuries. Many fear that future tension between the Palestinian Authority and the Islamic movement could lead to a “Palestinian civil war.” The secular opposition to the PLO/PA, however, remains political and not militant in nature.

Jamil Hilal (1994), director of the PLO Information Department, and member of the Palestine National Council since 1983, believes that in order for the PLO to survive as a credible and legitimate representative of the Palestinian people it must:

demonstrate to the Palestinians in the occupied territories that it can create from the September [Oslo] agreement the necessary conditions to build an independent state in these areas; it will have to demonstrate to the agreement’s opponents its fidelity to democratic principals of government; and it will have to show the Palestinian of the Diaspora that their rights and interests will not be ignored. In other words, the PLO leadership must prove that it is still able to represent, defend, and further the interests, aspirations, and rights of the entire Palestinian people, and not just a portion of them. (p. 46)

The nature of the DOP-proposed elections will certainly influence, if not determine, the shape of Palestinian political representation in the transitional

period. So far Hamas and the Islamic Jihad oppose these future elections. Hamas, however, did not completely rule out its participation. Abu-Amr (1995) argues that “Hamas supports the idea of elections in principal, provided they are legislative and not explicitly linked to the Oslo Agreement. Hamas is also keen on elections to establish its strength through a popular vote and may participate precisely for that purpose without necessarily agreeing to participate in the elected council” (p. 46).

The proposed elections are going to be problematic for another reason. Israel’s demands to have the final say in determining the nature and scope of these elections make it more difficult to convince Palestinians who oppose the Oslo Agreement, whether secular or Islamist, that the elections will be “free and democratic.” Article VII of the DOP states that:

The Interim Agreement shall specify, among other things, the structure of the Council, the number of its members, and the transfer of powers and responsibilities from the Israeli military government and its Civil Administration to the Council. The Interim Agreement shall also specify the Council's executive authority, legislative authority in accordance with Article IX below, and the independent Palestinian judicial organs.

In addition to the provision of this Article, Israel will have a say in the way the “system of elections” is designed, the nature of international supervision, and the rules and regulations regarding election campaigning (Annex I). Palestinians in the opposition charge that these DOP provisions make the proposed elections look as if they are Israeli and not Palestinian elections!

According to the timetable of the DOP, the elections should have taken place in July of 1994. As of April 1995, and after eleven rounds of talks, PLO and Israeli negotiators remain in disagreement over several issues related to the

elections. This disagreement came mostly from divergent Israeli and Palestinians interpretations of the DOP on the following issues: (1) the PLO is calling for a 100-member legislative council, the Israelis for a 24-member council with only executive powers specified by Israel, (2) the PLO wants full participation of East Jerusalem Palestinians in the election process, including the right to vote and run as candidates, the Israelis want to restrict that participation to voting only, and (3) the PLO says any one of legal age regardless of political views have the right to participate, Israel objects to the participation of any one who publicly oppose the "peace process."

The elections are also expected to face major technical problems. The population characteristics in the occupied territories are highly complex. The presence of large numbers of refugee camps both in the West Bank and Gaza will inevitably complicate the districting process. The absence of an official census of the local Palestinian population is another complication. In a March 1995 interview, Professor Sa'ib Urayqat, Minister of Local Government in the Palestinian Authority and head of the Palestinian negotiating team on elections, stated that more than 50 per cent of the population records Israel provided the PLO had errors. Names were in Hebrew, not in Arabic, requiring the Palestinian side to conduct an extensive review of the voter lists.⁴⁷ Urayqat suggested that the final voter list will include about 1.2 million Palestinians who are 17 years and older ("Palestinian-Israeli Talks" 1995).

⁴⁷ The PLO employed 5000 Palestinian teachers to accomplish this task.

Problems associated with Palestinian citizenship and political representation, are likely to occur in all phases of the process of Palestinian state formation. The PLO-Israeli DOP does not offer any tangible solutions to these problems. In order for the PLO to survive it must be able to balance the demands of the “outside” and the “inside” Palestinian communities, i.e., those of the occupied territories and those of the Diaspora. Also, the relationship between the Palestine National Council (the PLO parliament in exile) and any future autonomy council in the occupied territories must be adequately defined. On the other hand, for the future autonomy elections to succeed and be recognized as legitimate, they must be free and democratic. If the Palestinian political opposition, does not participate (either by choice or restriction) in the autonomy elections, the peace process of the Oslo Agreement is likely to collapse.

Main Economic Problems

Israel’s military and economic practices in the West Bank and Gaza Strip create major obstacles to the development of a viable and independent Palestinian economy, and in turn to the political stability of any future Palestinian entity in those areas. The Israeli military occupation produced an asymmetry of economic relations between the Palestinian and Israeli economies. Since 1967 Israeli economic and territorial practices has kept the Palestinian economy in a state of underdevelopment and subservience to the Israeli economy. Today, the Palestinian economy is effectively “captured” by the more powerful Israeli economy.⁴⁸

⁴⁸ For a more elaborate discussion of the concept of the “captured” economy and the effects of Israeli military occupation on the economy of the West Bank and Gaza see Abed (1988; 1990); and Samara (1987; 1990; 1992).

The economic asymmetry between Israel and the Occupied Palestinian Territories (OPT) is reflected in the wide disparity in both the per capita income and the Gross National Products of the two economies. In 1991 Israeli Gross National Product (GNP) was about \$59 billion U.S. Dollars which is about 30 times that of the OPT.⁴⁹ Israel per capita income was \$10,900 while that of the West Bank was about \$1,200 and that of Gaza about \$700. The asymmetry is also present in the export-import relationship between the two economies. Here, the evidence that Israel treats the OPT as a “captured” market becomes more pronounced. For example, in 1987, over 90.9% of the West Bank imports and 92.3% of Gaza Strip imports came from or through Israel (PASSIA 1993, p. 164).

The Israeli military government used its control over licensing to thwart industrial development in the OPT as seen in the repeated refusal to grant permits to Palestinian industrialist to establish factories. Industrialization in the OPT was also hindered by inadequate infrastructure and services, high land prices influenced by Israeli confiscation of land and complex zoning restrictions (Elmusa and El-Jaafari 1995; Samara and Shahadah,1988).

The retardation of the Palestinian economy has forced a large number of Palestinian workers to seek jobs in Israel. The Palestinian workforce became Israel’s prime source of cheap labor. In 1988, the total number of Palestinian workers in Israel was estimated at 130,000. About 35% of the West Bank labor force and about 46% of the Gazan labor force worked in Israel. However, these numbers dropped dramatically after March 1993 as a result of an Israeli policy of

⁴⁹ All money figures cited in this thesis are in U.S. dollars based on the appropriate exchange value at the time indicated by each citation.

prolonged closure (sealing off) of the occupied territories. The closure policy bars Palestinian workers from jobs in Israel as a form of collective punishment for acts of violence against Israelis. By the beginning of 1995, the repeated security closures of the West Bank and Gaza Strip brought the Palestinian economy to a point near collapse. Palestinian unemployment reached record levels totaling 47% in the West Bank and 58% in Gaza (Rosenfeld 1995, p. 2). The situation is aggravated by Israeli attempts to replace Palestinian workers with foreign workers from Eastern Europe and South East Asia. By February 1995, Israel has imported close to 65,000 laborers from abroad, mostly from Thailand and Romania (*The Independent*, February 27, 1995).

The Oslo Agreement between Israel and the PLO ignored the historical process that led to the creation of the current economic realities. Although nearly two-thirds of the Agreement consisted of Articles and protocols calling for Israeli-Palestinian “economic cooperation” in local and regional development, many leading Palestinian economists fear that “economic cooperation” at this stage in history is no more than softer semantics for continued Palestinian economic dependence on Israel. In an interview with *Middle East Report*, Samir Hleileh (1994), the head of the Economic Development Group in Jerusalem, and the designated Palestinian Liaison with the World Bank put it boldly:

The economic protocols are the price we had to pay for the [Oslo] agreement . . . I thought it was premature to speak about cooperation in all these aspects and specific joint-venture kinds of work before we solve basic political problems. If Jerusalem, refugees, borders, security and other issues are not addressed, then why are we talking about economic protocols? (p. 7)

In another interview with *Middle East Report*, Salah Abdul Shafi (1994), Director of the Economic Development Group in Gaza, provided a detailed analysis of the economic repercussions of the Oslo Agreement, especially for the Gaza Strip. Mr. Abdul Shafi believes that “The agreement means that the incorporation of the Strip’s economy in Israel’s will be formalized and solidified” (p. 11). He also believes that the accord echoes and complements the new Israeli economic policies vis-à-vis Gaza engineered by Israeli economist Ezra Sadan after the 1991 Gulf War. Abdul Shafi said that Sadan advocated the establishment of “Industrial Parks” in the Gaza Strip modeled after ones in Taiwan and Mexico, and proposed that Gaza’s “traditional agriculture” should be replaced by a more “industrialized agriculture.”

Abdul Shafi maintains that the current kind of dependency characterized by the “daily migration” of Palestinian labor to Israel will be replaced by a “new vehicle for incorporation” based on “a system of subcontracting between Palestinian capital and sectors of Israeli capital.” “With the Declaration of Principles”, he added, “*we [Palestinians] will be working for Israel in Gaza rather than in Tel Aviv, but we will be working for them nonetheless*” (p. 12, emphasis added). Finally, Abdul Shafi summed his interpretation of the Oslo Agreement in the following dramatic statement:

You see the problem. By accepting Gaza-Jericho First the PLO has given up any notion of developing a genuinely independent Palestinian economic sector . . . You don’t sign a document like this if you’re serious about economic self-determination. (p. 13)

Many Israeli leftist have also presented similar economic interpretations of the Oslo Agreement. For example, Shlomo Avineri (1994), Professor of political

science at the Hebrew University in Jerusalem, and former Director-General of Israel Ministry of Foreign Affairs, argues that “economic cooperation” between Israel and the “evolving Palestinian entity” will inevitably result in a “new mode of dependency;” a perpetuation of the kind of unequal and uneven relationship that has developed during the 28-year old Israeli occupation. Avineri insists that in order for a healthy economic relationship to exist between Israel and the Palestinians, the Palestinian economy should be given ample time to heal and develop in relative separation from the Israeli economy.

However, it is unlikely that Israel will let the Palestinians develop a genuinely independent economy free from Israeli domination. The economic arrangements proposed by the Oslo and Cairo Agreements reinforce Palestinian economic dependency on Israel. For example, the Oslo Agreement allows Palestinians only to levy an income tax, but all forms of indirect taxation (value added taxes (VAT), customs, and fees) will continue to be levied by Israel. Many Palestinian economists argue that any autonomous Palestinian entity will find it extremely difficult to create an independent foreign trade policy if Palestinians do not have their own customs and tariffs; they maintain that Palestinian “natural trading partners are in Eastern Europe, Asia, and the Arab World,” not with Israel and its trading partners. They also believe that to stay in a “custom union” with Israel will leave Palestinians powerless to form their own macro-economic policy (West 1994). The logic of proposing economic cooperation between unequal parties; between the occupier and the occupied, without ending military occupation and before Palestinians gain their political rights is at least problematic.

The Oslo and Cairo Agreements do not mention the fate of the confiscated Palestinian lands. It is unclear how the Palestinians will embark on a process of true economic development if they do not have control over this valuable resource--It is estimated that Israel has already confiscated 65% of the area of the West Bank and 40% of Gaza (PASSIA, p. 176). The importance of land stems from the prominence of agriculture in the Palestinian economy. Agriculture makes up to 24% of the GNP of the OPT, absorbs 23% of the OPT labor force, and accounts for 60% of OPT exports ("Israel: Peace, Harvard Style," 1993). Moreover, the Oslo Agreement did not revoke the more than 1,400 Israeli military orders in effect in the occupied territories, most of which are serious obstacles to Palestinian socioeconomic development (JMCC 1992).

The Oslo and Cairo Agreements bypassed the economic role of the Palestinian grassroots organizations,⁵⁰ they did not even acknowledge them. These organizations have been instrumental in socioeconomic development of the OPT during the Intifadah, and they have been the source of empowerment for many economically disadvantaged Palestinians. Many of these grassroots organizations focused especially on empowering Palestinian women in the OPT. Bypassing these organizations and replacing them with bureaucratic Palestinian and joint Palestinian-Israeli committees could result in the distortion of the bottom-up Palestinian approach to economic development that started to take shape during the Palestinian uprising.

⁵⁰ These organizations include the popular agricultural and women's committees that were involved in hundreds of self-help and small-scale production projects in several villages and refugee camps in the West Bank and Gaza Strip.

Neither the Oslo nor the Cairo Agreements made any provision for compensating Palestinians for the heavy tax burden put on them since 1967. Although the issue of compensation was brought up many times by top PLO officials in international conferences, and by Palestinian delegates to the Washington peace negotiations, it was completely ignored in the Oslo Agreement.⁵¹ In an economic conference in Gaza on December 29, 1993, several Palestinian economist criticized the PLO for failing to demand for economic compensation from Israel. They argued that the taxes levied on Palestinians over the years had not been reinvested in the occupied territories⁵² (“Conference Held on ‘Challenges’ to Gaza Economy” 1993).

Finally, the agreements are vague in dealing with the important remaining issues of Jewish settlements in the OPT, the fate of Palestinian refugees, the status of Jerusalem, and the review of exiting military orders. These issues and the way they are treated will have major repercussions on the economic viability of any future Palestinian polity.

As the above discussion demonstrates the Oslo and Cairo Agreements do not constitute an adequate foundation for the development of an independent Palestinian economy. The two agreements were signed at a time of rapid Palestinian economic disintegration, but failed to offer any practical remedies for

⁵¹ For e.g., the issue of compensation was raised by Jawid Ghossein, Chairman of the Palestine National Fund of the PLO, in a speech at the Economics of Middle East Peace Conference sponsored by *Middle East Economic Digest (MEED)*, *Middle East Economic Digest*, January 17, 1993.

⁵² For more details about the illegal use of taxation by the Israeli military authorities in the OPT see Hadara Lazar’s (1990): *The system of Taxation in the West Bank an the Gaza Strip: As an Instrument for the Enforcement of Authority During the Uprising.*

the Palestinian economic predicament. The continuation of Palestinian economic dependence on Israel will certainly weaken the Palestinian ability to achieve political independence. For Palestinians to succeed in building an independent and viable state, the current unequal and asymmetrical economic relation with Israel must be changed and restructured on more equitable terms.

Main Problems of State Apparatus

To maintain its viability and legitimacy, a state must perform a set of essential functions that ensure the reproduction and maintenance of society. A modern state is expected to provide a wide range of public goods and services, facilitate and manage the economy, and mediate conflict between the different groups and interests within society. Thus, if a future Palestinian entity is to qualify as a state, it must build appropriate institutions and apparatuses capable of performing these functions.

There are major problems and obstacles that will either complicate or prevent the Palestinian Authority⁵³ and the future autonomy council from performing the civic functions of a state over the interim 5-year period. To establish its viability as a pre-state entity, the Palestinian Authority must be able to deal with the immense socioeconomic problems caused by the prolonged Israeli military occupation of the West Bank and Gaza. These problems include a devastated Palestinian economy and infrastructure, severe environmental and

⁵³ The Palestinian Authority is a 24-member assembly that was appointed by PLO Chairman Yasser Arafat, in May of 1994, to handle "autonomy" affairs in parts of the Gaza strip and the West Bank city of Jericho, pending the election of the Palestinian Autonomy Council.

health problems, undeveloped civil institutions, and a chaotic political situation marked by sectarianism and ideological factionalism (Roy 1993; 1994).

In spite of these problems the Palestinian Authority must be able to provide a long list of public goods and services: water and electricity, sewage disposal, telephone services, health facilities, education, independent legal and regulatory agencies, police protection, etc. The PLO is trying to build quasi-state institution over the 5-year interim period that will serve as a nuclei for the development of future state institutions (see Table 4).

Israel, however, still retains effective control over the provision of many basic services in the West Bank and Gaza including water (Israeli Mekoroth Company), electric power generation and distribution (Israel Electric Company), telephone services (Israeli Bezek Company), and postal services. Control of these services is a direct way for Israel to assert its sovereignty over the occupied territories. By preventing the Palestinian Authority from providing these essential services, Israel deprives it of important symbols of sovereignty. Continued Israeli control of these services forces the Palestinians to stay dependent on Israel and impedes the drive to Palestinian statehood.

There are several other factors that stand in the way of the Palestinian Authority's performance of essential state functions during the interim period. The Oslo and Cairo Agreements have restricted the jurisdiction of the Palestinian Authority and the future autonomy council to a degree that may retard the development of viable state institutions. Most of the preexisting Israeli military laws remain in force, and will not be changed without Israeli approval. Article VII (9) of the Cairo Agreement states that "laws and military orders in effect in the

Table 4

The Palestinian National Authority (PNA)

Ministries

- Ministry of Health
- Ministry of Education
- Ministry of Finance
- Ministry of Tourism and Antiquities
- Ministry of Religious Affairs and Awqaf
- Ministry of Municipalities and Villages Councils
- Ministry of Interior
- Ministry of Economy, Trade, and Industry
- Ministry of Social Affairs
- Ministry of Posts and Telecommunications
- Ministry of Public Works
- Ministry of Housing
- Ministry of Agriculture and Environment
- Ministry of Energy and Natural resources
- Ministry of Communication and Transportation
- Ministry of Information
- Ministry of Labor and Vocational Training
- Ministry of Culture and Arts
- Ministry of Ministry of Justice
- Ministry of Youth and Sports
- Ministry of Planning and International Cooperation
- Ministry of Expatriates

Departments

- Accountancy Office and Financial and Administrative Control Department
- Survey and Land Department
- Employees and Civil Service Department
- Economic Policies Research Institute
- The Palestinian Economic Council for Reconstruction and Development (PECDAR)
- The Palestinian Monetary Authority
- The Palestinian Statistics Center

Source: *Journal of Palestine Studies*, Summer 1994, 23(4): pp. 145-146.

Gaza Strip and the Jericho Area prior to the signing of this Agreement shall remain in force, unless amended or abrogated in accordance with this agreement.”⁵⁴ By agreeing to such a provision the PLO in effect has consented, although not explicitly, to the continuation of the Israeli military occupation during the interim period. Indeed, the persistence of Israeli military occupation of the West Bank and Gaza makes the development of viable Palestinian state apparatuses a daunting task. There is a justifiable Palestinian fear that further delay in revoking Israeli military laws could result in changing their status from *de facto* to *de jure* by instituting them gradually in the arrangements for the Interim period. Many of the more than 1,400 Israeli military laws in effect in the occupied territories will complicate the Palestinian Authority’s ability to perform its civic duties during the interim period.

The Palestinian Authority also faces a fiscal crisis. The current economic situation makes it extremely difficult for the Palestinian Authority to raise sufficient revenue to cover its operating costs. Also the money promised by international donors to support the Palestinian autonomy has not been sufficient to deal with the problems at hand. A sum of 2.4 billion dollars has been pledged by forty countries to be dispersed over the five-year interim period. However, many of the International donors have not lived up to their promises. Of the \$760 million of designated aid for 1994, only \$70 million has been provided to the Palestinian Authority. Even if the \$2.4 billion aid package that the Palestinian Authority is *supposed* to get is received, it is unclear if it is enough to

⁵⁴ The Cairo Agreement did not, explicitly, “amended or abrogated” any of these military laws.

revitalize the devastated Palestinian economy, build decent housing for the tens of thousands of Palestinian refugees, finance the administrative costs of autonomy, and meet the other financial needs of the Interim Palestinian Authority and its various institutions.

The Palestinian Authority's ability to perform the civic functions of the state is currently hampered by an over emphasis on police power. The Oslo and Cairo Agreements allowed the PLO to bring in a 7,000-strong police force⁵⁵ to "guarantee public order and internal security" in parts of Gaza, Jericho, and [later] in the rest of the West Bank (Article VIII of the DOP). This police force is expected to prevent armed resistance to Israeli military occupation. In fact, Israel is demanding that the PLO use this police force to disarm the Islamic movement in Gaza (i.e., Hamas and the Islamic Jihad) and any other militant Palestinian group opposed to peace with Israel. Most of the money received from international donors in 1994 was spent on salaries for the five security apparatuses of the PLO police-force. This overemphasis on police power may retard the process of institution-building and raise doubt about the Palestinian Authority's legitimacy in the interim period. Abu-Amr (1994) has described the PLO predicament as follows:

For more than two decades the PLO leadership has developed a style of work based on the logic of "revolution" and the Diaspora, a logic that may be totally different from the logic of "state-building" and civil society. Reconciling the two logics, especially in the transitional phase, poses a great challenge: many have doubts about the extent to which the PLO leadership will be able to adapt to a new situation. (p. 80)

⁵⁵ This police force is mad up mainly of former PLO guerrilla fighters who survived the 1982 Israeli invasion of Lebanon and from members of the Palestine Liberation Army which is under the control of the Jordanian Army.

In October 1994, an opinion poll conducted by the Center for Palestine Research and Studies found that only 31% of Palestinians in the West Bank and Gaza are satisfied with the Palestinian Authority's performance thus far. Many Palestinians have accused the Palestinian Authority of practicing "favoritism and nepotism" and claim that supporters of Fatah (Yaser Arafat's group) have received the "lion's share" of appointments to the new agencies and departments. Abu-Amr (1995) believes that such appointments have taken a serious toll on the Palestinian Authority's efficiency:

Institutions, it is said, are being established without sufficient preparation. Reinforcing the effects of inadequately qualified cadres is the superfluity of many appointments: It is said that a number of departments and agencies have been transformed into havens for disguised unemployment. (pp. 41-42)

It is important to remember that the current Palestinian Authority was not elected, but was appointed by the PLO pending the election of the Autonomy Council. No matter what shape this future Council takes, the challenges will remain the same: to build viable state institutions and perform their functions all at the same time. Whether this can be done within the context of the 5-year interim period, and with all of the present Israeli restrictions in place is indeed questionable.

CHAPTER 4

PROSPECTS AND CONCLUSIONS

The road to a Palestinian state can be best described as passing through a minefield of problems and obstacles. If these problems are not adequately resolved, an independent and viable Palestinian state is unlikely to be established.⁵⁶ This thesis focused on problems associated with the following: (1) the definition and delimitations of a Palestinian national territory, (2) the determination of Palestinian citizenship and political representation, (3) the ability to create a functioning Palestinian economy, and (4) the development of a viable Palestinian state apparatus.

A detailed examination of the Oslo and Cairo Agreements between the PLO and Israel reveals their inadequacy in resolving the principal territorial, political, and economic obstacles to Palestinian independence. The two agreements do not end Israeli military occupation; do not halt the building of Israeli settlements nor the confiscation of more Palestinian lands. They ignore Palestinian human rights; delay the discussion of the Palestinian refugee problem and the status of the city Jerusalem.⁵⁷ Finally, many observers believe that a solution to this conflict will require international support and assurances. The

⁵⁶ To use the terminology of Hartshorne (1950), a Palestinian state can be created only if "centripetal forces" overcome "centrifugal forces" (see Chapter 2).

⁵⁷ Palestinians consider Jerusalem as their political, cultural, and religious center, and the capital of any future Palestinian state. Therefore, they consider the political future of Jerusalem as the epicenter of the Palestinian-Israeli conflict, an issue that can make or break the peace process. If Israeli position and actions regarding the status of the city is not changed, the peace process will inevitably collapse.

Oslo and Cairo Agreements did not incorporate any such role for the international community.

Many critics of the PLO-Israel peace process argue that the Oslo and Cairo Agreements are in themselves obstacles. For example, Edward Said (1994) contends that:

by accepting that land and sovereignty are being postponed till 'final status negotiations,' the Palestinians have in effect, discounted their unilateral and internationally acknowledged claim to the West Bank and Gaza: these have now become, in effect, 'disputed territories.' Thus, with Palestinian assistance, Israel has been awarded at least an equal claim to them. (p. xxxvii)

Said's (1994) argument is indeed substantiated by the views expressed by Joel Singer (1994), the Legal Adviser of the Israel Ministry of Foreign Affairs, and who is largely responsible for drafting the Oslo Declaration of Principles (DOP):

As its title suggests, the DOP is not a comprehensive agreement, but rather a statement of agreed principles. In other words, it is not a self-executing document which purports to set out practical arrangements, but rather an "agreement to reach agreement," which leaves the details to be negotiated between the parties. (p. 2)

Indeed, this "agreement to reach agreement" has no clear terms of reference. Except for U.N. Security Council Resolutions 242 and 338, which do not explicitly mention the Palestinians, the DOP, in effect, renders all other U.N. resolutions affirming the inalienable rights of the Palestinian people both negotiable and disputable.

If one compares the DOP with the Palestinian proposal for autonomy arrangements presented to Israel by the Palestinian delegation to the peace talks, on January 14, 1992, one finds that the DOP constitutes a major departure from Palestinian vision of how autonomy should be structured. Unlike the 1992

Palestinian document, the DOP has no mention of international law or legality; no mention of implementing the provisions of the Fourth Geneva Convention of 1949, the Hague Regulations of 1907, and the relevant U.N. resolutions on the Palestinian-Israeli conflict.

The DOP's disregard of international legality can seriously affect the prospects of creating a Palestinian state. In fact, Joel Singer (1994), the Israeli architect of the DOP, makes it clear that the negotiated accord preserves the Israeli military occupation of the West Bank and Gaza throughout the interim period:

The dissolution of the Israeli Civil Administration will have no impact on the status of the West Bank and Gaza Strip. The Civil Administration was created in the early 1980's as an organ of the Israeli military government in order to discharge the powers and responsibilities of the military government in civilian matters. It should be noted that, prior to the establishment of the Civil Administration, the military government itself had been performing both civilian and non-civilian functions. Thus, with the dissolution of the Civil Administration, the military government will simply resume all the powers and responsibilities of the Civil Administration not transferred to the Palestinian Council. In this context, the fact that the military government in the West Bank and Gaza Strip will continue to exist is very significant. It emphasizes that, notwithstanding the transfer of a large portion of the powers and responsibilities currently exercised by Israel to Palestinian hands, the status of the West Bank and Gaza Strip will not be changed during the interim period. *These areas will continue to be subject to military government. Similarly, the continued existence of the military government indicates that the Palestinian Council will not be independent or sovereign in nature, but rather will be legally subordinate to the authority of the military government.* In other words, operating within Israel, the military government will continue to be the source of authority for the Palestinian Council and the powers and responsibilities exercised by it in the West Bank and Gaza Strip. (p. 4, emphasis added)

Thus, the Palestinian autonomy arrangements proposed by the DOP are not consistent with the features of an Independent state and, if not radically changed, are not likely to lead to one either. The fact that Palestinians were not

able to obtain better terms in the negotiations reflects the uneven balance of power between Israel and the PLO. Israel is a major economic and military power in the region and has not been compelled to make concessions. Moreover, Israel enjoys the military, economic, and political support of the United States (U.S.), and, so far, American governments have not pressured Israel to accept the creation of a Palestinian state. In fact, all U.S. administrations, without exception, have declared their opposition to the creation of a Palestinian state as a final outcome of negotiations. With the absence of any real pressure, Israel is likely to continue “creating facts on the ground”: building more settlements to assert its sovereignty over Jerusalem, erase the “Green line,” and fragment the occupied territories.

Andoni (1993) argues that the PLO, in negotiating a separate peace with Israel with minimum coordination and support of other Arab states, could undermine its “bargaining position” for the creation of an Independent Palestinian state at later stages of peace negotiations. He maintains that the PLO-Israel deal could initiate a “premature process of normalization” between Israel and other Arab states which could leave the Palestinians in a weaker position at the final status negotiations.

By normalizing relations with Arab states, Israel can gain enormous economic advantages as new markets are opened for Israeli products. And on the broader regional level, Israel can gain from normalizing relations with other Islamic countries (e.g., new Islamic Republics of the former Soviet Union) as well as non-Arab African countries (which previously opposed diplomatic relations with Israel due to Arab pressure). Many of these countries can serve as potential

markets, especially for Israeli high-tech and military products. All this can occur before there is any tangible change in the living conditions of Palestinians in the occupied territories and in the Diaspora (Bennis 1993).

Taking the harsh economic realities in the occupied territories into consideration, the proposed \$2.4 billion dollars of economic aid for Palestinian autonomy over the five-year interim period will be a “drop in a bucket.” Compared to the money that Israel gets from the U.S. alone, the aid to the Palestinians is meager indeed. From 1995 to 2000, Israel is scheduled to receive between \$15 and \$20 billion in military and economic grants from the U.S. These grants include \$2 billion for Israel’s new combat aircraft and \$6 billion of the remaining \$10 billion in loan guarantees that Israel got in 1991 to help settle the Russian Jews (Collins 1994, p. 17). It is doubtful that \$2.4 billion dollars in aid is enough to offset the adverse economic effects of the previous 28 years of Israeli military occupation.

One important question is who are the main economic beneficiaries of the current PLO-Israeli peace process? Several Palestinian economists, including Salah Abdul Shafi (1994), believe that the people who stand to gain most are the local rich Palestinians living in the occupied territories (whose economic interests are tied directly to different sectors of Israeli capital), rich Palestinian investors from Jordan and the Gulf States, and foreign multinational corporations (which have already acquired the lion-share of contracts for several “development” projects in Gaza and Jericho to be financed from the \$ 2.4 billion of international aid).

Another important question is: if current political and economic trends and relationships continue what form might the future Palestinian polity take? Many analysts have proposed different scenarios as outcomes of the current peace process. One scenario is suggested by Amos Perlmutter (1994), professor of political science at the American University and editor of the *Journal of Strategic Studies*. He argues that if the present autonomy deal between Israel and the PLO ever lead to the creation of a Palestinian state, that state will “likely be authoritarian, noninclusive and undemocratic.” Professor Perlmutter maintains that the Palestinian polity will fit Samuel Huntington’s model of a praetorian state: a state that has a low level of political institutionalization, that lacks a viable middle class, and that can only be controlled by a police regime.

A more optimistic picture is painted by William Quandt (1994), a Senior Fellow in the Foreign Policy Studies Program at the Brookings Institution. Quandt (1994) maintains that the great majority of Palestinians want democracy. He cites several recent polls taken in the West Bank and Gaza that showed about 75% of Palestinians there favored holding elections for a governing authority during the interim period, while only 10% wanted the Palestine Liberation Organization (PLO) to appoint the government. Quandt (1994) argues that Palestinians care dearly about democracy because “Palestinians have numerous stories of their [own] mistreatment by arbitrary, nondemocratic governments. These memories predispose many Palestinians to think that their own government should avoid the pitfalls of one-man rule” (p. 3).

Many have suggested that Israel’s territorial practices in the West and Gaza will likely lead to the “cantonization” of the occupied territories and not to

Palestinian sovereignty. Jansen (1993) argues that Israeli settlement activities will lead to the creation of four "cantons" where Palestinians will be "grouped" and restricted to. These cantons are located in northern, central, and southern parts of the West Bank and in East Jerusalem. Likewise, Palestinian strategic studies expert Ahmad Khalidi (1995) argues that the Israeli Labor Party vision of "territorial compromise" actually "threatens to undermine the viability of any future Palestinian entity: severed from its heartland around Jerusalem, reduced wholesale by 'territorial adjustments' along the Green Line, strewn with pockets of a long-term residual Israeli military presence, denied the means of self-defense, and sandwiched between its two significantly more powerful neighbors, Israel and Jordan, the Palestinian 'state' would ultimately have little to recommend it to the Palestinian themselves" (pp. 12-13).

To many Palestinians, the kind of state is more important than just having a state. The accumulative effects of problems and obstacle discussed in this thesis will undoubtedly influence the makeup of any future Palestinian polity. American writer and human rights activists Phyllis Bennis (1993) summed up the potential political and economic effects of the Oslo Agreement on the substance of any future Palestinian state:

What underlies some of the Palestinian unease and opposition with the agreement, is that any state emerging from this process will probably bear little resemblance to the truly independent democratic Palestine that so many fought for. Rather, a Palestinian state created at the end of the 20th century is likely to be only nominally independent, trapped in a confederation with Jordan, militarily overwhelmed, economically strangled by an Israel strengthened by open ties to the Arab world, financially dominated by the IMF and the World Bank, accountable to U.S. and Western business interest, and repressive towards domestic opponents. (p. 16)

The autonomy arrangements of the Oslo and Cairo Agreements forces the PLO to act as Israel's enforcer in the occupied territories without any guarantees that such a role will lead to the creation of a Palestinian state. By accepting limited autonomy in Gaza and Jericho, the PLO will eventually have to subdue, by physical force if necessary, any serious political opposition against it or against Israel. Israel, on her part, has made the implementation of the Oslo Agreement contingent upon the PLO's suppression of the Hamas and Islamic Jihad movements in Gaza and the West Bank. Many fear that this could lead to a Palestinian civil war and, eventually, to the collapse of the whole peace process.

The prospects of creating a truly independent and sovereign Palestinian state at the end of the interim period proposed by the Oslo Agreement are bleak indeed. After a series of suicide bombings by the Islamic Hamas and Jihad movements in late 1994 and early 1995, the Israeli government devised a security separation plan between Israel and the occupied territories. The plan consists of a defense line made up of fences, electronic sensors, dogs and security patrols. In the West Bank the separation line will be set up east of the Green Line (the armistice line of 1949) and will follow the periphery of the major Palestinian population centers. The security fence that already surrounds the Gaza strip will be reinforced and fortified (*The Independent*, March 17, 1995). If this plan is actually implemented it will result in the incarceration of the whole Palestinian population. Territorially, this plan will make any future Palestinian polity look more like an *actual prison* rather than a state, with Israeli guards both inside and outside the prison walls.

The balance of power remains in favor of Israel and Israel remains against genuine independence for Palestinians. Although more countries recognize the symbolic Palestinian Declaration of Independence than recognize Israel, international recognition alone is not sufficient to bring a Palestinian state into being. A state is not created by wishful thinking or by the moral strength of a just cause. For Palestine to succeed in obtaining statehood Palestinians must be able to counter Israeli territorial actions with more effective Palestinian territorial actions, i.e., Palestinians have to fight Israeli territoriality with a more efficient Palestinians territoriality;⁵⁸ Palestinians must use the logic of territoriality to formulate practical spatial strategies in their struggle for national independence. As Palestinian Professor Edward Said (1994) eloquently put it:

A general idea like "limited autonomy" might lead to independence or it might equally well lead to further domination. In either case, the main task for Palestinians is to know and understand the overall map of the territories that the Israelis have been creating, and then devise concrete tactics of resistance. *(In the history of colonial invasions, maps are always first drawn by victors, since maps are always instruments of conquest; once projected, they are then implemented. Geography therefore is the art of war but also can be the art of resistance if there is a counter-map and a counter strategy).* (Said 1994, p. 416, emphasis added)

There are no guarantees that the current peace talks between Israel and the PLO will lead to the creation of a Palestinian state. The prospects of forming a Palestinian state will ultimately depend on the outcome of the final status negotiations between the two sides. For a truly independent Palestinian state to form, these negotiations must produce an adequate resolution to the problems

⁵⁸ Robert Sack (1986) defines territoriality as "the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships, by delimiting and asserting control over a geographic area" (p. 19). Sack also sees territoriality as an "indispensable means to power at all levels: from the personal to the international" (p. 1).

outlined in this thesis. Most of these problems are extremely serious and cannot be disregarded or easily swept under the carpet.

Overall, the process of Palestinian state formation is indeed not linear. Dramatic events can push the process forward or backward. However, it is clear from the events of the past 47 years that as long as Palestinian calls for statehood are not met, the Middle East will inevitably witness further turmoil and bloodshed. In 1896, Theodore Hertzl, the "father" of political Zionism, wrote: "... The world needs the Jewish state; therefore it will arise." In 1995, one might ask a similar question: Does today's world need a Palestinian state and will it therefore also arise?!

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APPENDIX

The following system of Arabic transliteration has been adopted:

<u>Arabic Letter</u>	<u>Transliteration</u>	<u>Arabic Letter</u>	<u>Transliteration</u>
ش	,	ش	sh
ب	b	ص	s
ت	t	ض	d
ث	th	ظ	t
ج	j	ع	z
ح	h	غ	,
خ	kh	ف	gh
د	d	ق	f
ذ	dh	ك	q
ر	r	ل	k
ز	z	م	l
س	s		m

<u>Arabic Letter</u>	<u>Transliteration</u>	<u>Arabic Letter</u>	<u>Transliteration</u>
ن	n	ي	y
ه	ah/at	ة	t
و	w		

Short vowels (represented by orthographical signs placed above or below Arabic letters) are transliterated as follows:

short vowels

(above) example ba=

بَ

Transliteration
a

(above) example bu=

بُ

u

(below) example bi=

بِ

i

long vowels

آ
ؤ
ي

Transliteration

â

û

î

diphthongs

ف
ي
و

Transliteration

aw

ay

iyy

uww