

Tel Aviv University

**The Lester and Sally Entin
Faculty of Humanities
The Moshe Dayan Center for
Middle Eastern and African Studies**

The annual Joseph (Buddy) Strelitz Lecture

by Prof. Nathan J. Brown

George Washington University, Washington DC

**“The Achievements of the Palestinian National
Authority? A Historical Appraisal”**

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It really is an honor and a privilege to be here. I am a polite person but were I not, I would still be able to say the same thing—that it is very flattering to have been invited to deliver the Strelitz lecture. I want to thank the generosity of Tel Aviv University and of the Strelitz family for making this lecture possible.

Attempting to address the issue of the achievements of the Palestinian National Authority or an assessment and appraisal of its record at the end of 2006 would seem to be fairly quick work, not requiring an entire lecture but perhaps just a few brief sentences. The Palestinian Authority is a government that cannot claim either solvency or sovereignty; it was constructed as part of a peace process that now offers neither peace nor any process. In fact large parts of it are now governed by a political movement that denies the legitimacy of the process that gave birth to the Palestinian National Authority. I think it is possible,

though not likely that we are witnessing the end of the Palestinian national movement in one sense: as a movement of institutions and structures designed to give authoritative voice to Palestinian national aspirations. Palestinian national identity is very much alive and will likely survive the events we are now passing through, but many of the institutions associated with it have atrophied or been actively subverted both by the people who control them and by their external patrons. Here we come to an anomaly of the Palestinian national movement, at least in regional terms. Palestinian national identity emerged and flourished not through state institutions but in spite of them. That is very unusual in the Middle East. It is unusual (though not unparalleled) globally as well. The ideological apparatus of a modern state--its educational system, oaths, pledges, flags, anthems, symbols, regulation of media, configuration of public space, regulation of public conduct – when these have been under the control of a state, that state has not been in Palestinian hands, at least not until fairly recently. Palestinian national identity emerged as a powerful political force in spite of that. In comparative regional terms, Palestinian state formation came late indeed. If we regard the Palestinian Authority as a kind of state-in-the-making, an embryonic state, as many of the people involved in

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its creation did, it still came extremely late in regional terms. One can trace some of its institutions back 100 years or ~~so~~, but their coalescing into an embryonic state in Palestinian hands really only began in 1993 and 1994. Whatever the legal provisions of the Oslo Accords, there is no escape from the fact that for many Palestinians, whatever attractions they held stem from their potentialities for building that state, for taking these institutions that have emerged over the years, augmenting them and using them as a basis for a Palestinian state.

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In fact Palestinians had declared a state twice before: they had done so once in 1948, they did so a second time in 1988. But both declarations left very few institution traces behind. And the hope was that this time they would start creating a state in the institutional sense, not through mere declarations but through the hard work of state-building. Later on, the formal recognition and all the international accoutrements of sovereignty would begin to accrue to the state.

Actually what the Palestinian leadership did was to take a set of institutions which had existed for decades, supplement them, and attempt to forge them into the state. So first what I am going to try to do tonight is first to describe these efforts – what kind of institutions they found at their disposal and how they

attempted to augment them. Second I will try to assess them: to take a look at the efforts that were made and try to understand the degree to which they have had any success. And third, I will speculate as to the future of this effort: will this embryonic state simply collapse, and, if it does, what sort of residue will it leave behind?

Allow me to begin with a description of the Palestinian state-building project which the Palestinian Authority represented. When Palestinians sat down in 1993-1994 and surveyed the ground, they found that they had a set of institutions to deal with, some of which were created within the West Bank and Gaza, some of which had been created outside historic Palestine. Some had been created by foreigners, and some had been created by Palestinians. Palestinians then supplemented those existing institutions with some new ones, built after 1994. Allow me to survey the basic institutional framework that they had to deal with. First, and in some ways most important, were a set of institutions which had never been controlled by Palestinians but which had a strangely continuous history despite all the political turmoil in the region. There was, for instance, a court system which could be traced back to the Ottoman era but had been really thoroughly re-configured by the British mandate and then amended under Egyptian rule in Gaza and

Jordanian rule on the West Bank. Some parts had been supplemented while other parts atrophied under the Israeli occupation. The Palestinian National Authority was delivered this structure wholesale and accepted it, despite the fact that it had very questionable origins from a nationalist point of view. Indeed, here we come to an interesting fact little understood even by many Palestinians themselves: even the body of Israeli law that had been built up under the occupation was largely adopted by the PNA, although they took great pains to obscure the fact that that was what was happening. So there was a court system. Similarly, there was an educational system--a network of schools established under the Mandate, again with some roots back in the Ottoman period, that had also been expanded under Egyptian rule, under Jordanian rule, under United Nations, and under Israeli rule. There was also a set of much less noticed institutions that actually were sometimes quite critical: there were zakat committees doing charitable work in the West Bank and Gaza. Most of these were established under Jordanian law; some operated in Gaza under Egyptian law. There were Chambers of Commerce and professional associations --the Bar Association and so on -- that took on some state-like functions. Chambers of Commerce, for instance, were important in validating papers under the Israeli occupation; Despite

the questionable origins of many of these institutions from a nationalist point of view, they were largely adopted by the Palestinian Authority.

There was a second set of institutions that had been created by Palestinians on the outside. First was a set of political parties or political movements which Palestinians refer to simply as “the factions.” The most prominent of these of course was Fatah, but there was a group of other Palestinian factions. Almost all of them—however much they were involved in activities and organizations on the West Bank and Gaza--had been largely founded outside of the West Bank and then attempted to organize within the West Bank and Gaza. Then of course there was the Palestine Liberation Organization itself. To describe the PLO as a body that was founded on the outside by Palestinians is historically not quite accurate: it was founded partly as an Arab effort with some Palestinian cooperation and of course it was founded in the city of Jerusalem, which Palestinians will insist, of course, is hardly outside of Palestine. But whatever its origins, by 1969 it had been taken over by a group of Palestinian activists on the outside and wrested away from its creators. It was never completely free of inter-Arab politics and it was never free of the influence of several leading Arab states, including Egypt, Syria, Iraq and so on. But it still was regarded

by Palestinians as their creation and the representative of Palestinians throughout the world. So there was a set of institutions for which, again, whatever their origins, the Palestinian Authority assumed responsibility. I might note here that this would sound strange to a Palestinian audience, which sees the PA as the creature of the PLO, not the other way around. The relationship between the PLO and the PA is complex indeed from both the institutional and the legal stand-points. But if theoretically it is the PLO that gave birth to the PA, the fact was that the Palestinian Authority had funds to support the PLO and was actually putting PLO people on its pay-roll in the 1990's—a practice that seems to continue (although I am not quite certain about this) right up to the present. There was this set of institutions created on the outside that the PA came to oversee. And there was a third set of institutions that were created by Palestinians living in the West Bank and Gaza, created by Palestinians themselves. There was for instance the entire university system that had grown up after 1967, created by Palestinians in Nablus and Ramallah and in Gaza and so on. To the extent that there were institutions of higher education in Palestine, they were largely creatures of this period. Most of them had roots back in the pre-1967 period but for the most part, the development of full

universities came only after 1967. There was a whole network of non-governmental organizations, the elements of what the Palestinians later discovered to be an emerging “civil society,” although the term was not used at the time.

There was waves of construction of non-governmental institutions. Some of these date back to the Mandate period; some emerged in various waves after that. One of the most recent waves was the first Intifada in the late nineteen-eighties, when a strong spirit of self-reliance struck Palestinian society and a whole new set of non-governmental organizations emerged.

So this was what the Palestinian Authority assumed responsibility for in 1994. It also created a whole new set of institutions, to take their side. But one thing that is remarkable is how few institutions they had to create out of thin air. They did create some, for instance the security forces. But even the security forces were not built from scratch. They were based to some extent on forces that had been associated with the PLO or often associated fairly strongly with some specific faction, especially Fatah. It is not hard to trace back specific security forces to specific organs that belonged to Fatah.

There were some others institutions – there were the bureaucratic structures which I won't detail simply because Palestinian public administration is not

designed to keep an evening audience awake. But allow me to mention just a couple of them in passing: there were the structures of governorates for instance. There had been municipal government in Palestine before, but the governorates which were constructed on a very strong security model in a form that had not existed before. There was a set of institutions that assumed very great symbolic importance, although what strikes me when I look back on these efforts is sometimes how diffident the PNA was in the attention it gave to these efforts. One prominent one was the effort to write a Palestinian curriculum: a Palestinian Curriculum Development Center was established in order to write the first Palestinian curriculum. This excited great attention among a very small group of educators, but it was not really that much of a focus of larger concern.

There was another set of symbolic efforts t – observation of new public holidays and this sort of thing. Even here, Palestinians officially observed (I believe, I am not certain about the precise date) a new national holiday which could be called *Nakba Day* in 1999 or 2000. In order to do so, they decided to mimic the ritual of a neighboring state by observing a moment of silence. A siren sounded in response to which everybody would hold a moment of silence. The problem was that they had no sirens. They sent

somebody here to tape an Israeli siren (and I am not making this up) and play it over loud-speakers throughout the West Bank and Gaza. As I say, given the strength of Palestinian national sensibility, it is sometimes surprising how haphazard some of the symbolic steps were.

I think of all the institutions that were created after 1994, perhaps the most significant was the Palestine Legislative Council. The people who were elected to serve that council would be shocked to hear that they represented such a major step forward. They were constantly frustrated by what they felt was their own impotence in the face of a diplomatic process that gave them very little space and a presidency that took whatever space they had and limited it even further. But in a sense it was the only structure that was wholly new; there had been no previous Palestinian parliament on which to draw. There was actually a body called the Palestinian Legislative Council that existed in Gaza only in the nineteen-fifties and nineteen-sixties but nobody - even many of the people who served in it - remembered much about it. So the new Legislative Council was to be a very different body. The Council constructed itself as a new Palestinian parliament. It worked on a new Palestinian body of laws that in many ways, at least from a liberal perspective, was probably the most

impressive body of legislation ever produced by an Arab parliament.

Now none of these institutions, taken in and of themselves, were necessarily impressive, but they opened up possibilities for building a state. But building a state in what sense? What kind of possibilities did they open up? From the very beginning there were very different visions of what a Palestinian state should look like. I want to focus on three distinct visions that sometimes conflicted with each other, but certainly pulled in different directions even when they did not contradict each other absolutely.

The first vision was simply that Palestine should be a sovereign state. This was a period in which Palestinians begin to use 'Palestine' as a proper noun: not to refer to a place but to refer to a political entity that actually had an existence; to refer to a state. And from the beginning was to interpret the Oslo Accords in ways that made the limitations on sovereignty irrelevant. They worked to push the Oslo Accords to and even past their limits. Let me just give you two quick examples of this:

The Oslo Accords make for absolutely deadening reading and anybody (I assume the people who negotiated them read them fairly carefully; I am not sure many other people ever have). So its clauses and

its exact provisions were often buried and were not necessarily widely known. Sometimes provisions would be widely known in Israeli society that weren't widely known in Palestinian society, and vice-versa. Sometimes provisions were misunderstood on both sides. One of the provisions was that a Palestinian wanted for a security offense by Israel had to be extradited. Most Israelis knew that there was such a provision. Most Palestinians denied it. How could this be? Well, go and read the original text and you will see. It is two pages long on this point and I had to read it three times before understanding its meaning. It does not mention Israelis and Palestinians very much at all; it's mostly 'the first party' and 'the second party'; it is written in the most abstract legalese and that makes it virtually impossible to follow. But after I had read it three times, I was convinced of what it meant: if the Israelis wanted somebody, the Palestinians had to hand him over unless they were holding him themselves. So what did the Palestinians do? When they thought the Israelis were going to request somebody, the Palestinians arrested him and held him in order to stay within the letter of this provision of the Oslo Accords. And this way they could pretend that any sort of implicit limitation on sovereignty in the document was irrelevant. In this way, it became unnecessary to

explain to Palestinians on the West Bank and Gaza exactly what they had signed. From what I can tell, there was only one extradition that was actually made. That was for a crime committed by a West Bank Palestinian against a young boy in Nazareth—a case which made it politically much more palatable to extradite. In all the other cases they simply held the person involved in order to avoid extradition. A second example was that any piece of legislation or any modification to the legal framework in the West Bank was supposed to be reviewed by a joint Palestinian-Israeli legal committee. And in fact such a legal committee was formed. And it met, and then it went out of business and then it formed again with different people serving on it. I talked to some of the people who were involved in this legal committee and they said, “Yes it was a very pleasant time to meet legal figures from the other side,” but in terms of actual business accomplished, it met so infrequently and its composition just kept on shifting, so that it had no viable existence. And so this body that was supposed to give Israel a check over Palestinian legislation in a sense never operated. What actually happened was that any time the Palestinian Legislative Council was about to pass a law to which the Israelis objected, it was handled through regular political channels. Israelis would communicate to the

Palestinian leadership that they had a problem. It was handled discreetly and often simply by the President not acting on the legislation in question.

So the sovereign state was pursued by essentially pushing the provisions of the Oslo Accords to their limits and acting as if Palestine to all intents and purposes was a state.

There was a second vision as well. This vision sounds only a little different from the first, but it pulled in some specific directions that the first did not require. There were people who thought that what Palestine should be is not simply a sovereign state but a normal Arab state. I am afraid to say I don't mean 'normal' in a sense that most people would view as favorable. "Normal" here suggests a semi-authoritarian state in which the chief executive is able to adduce arguments in terms of national sovereignty and security to remove any limitations on his authority and to vitiate any mechanisms of accountability in the political system. And in a sense this was the vision, I think, not simply of the Palestinian president but really of the Palestinian presidency as an institution, of some of the people around Yasir Arafat who sought to build a Palestinian state on the model that they had seen emerge. This could be seen as an Egyptian model but it had emerged in other Arab states as well, such as

Jordan, Tunisia and so forth. It was in many respects a presidential monarchy.

Illustrations of this second vision can be found in many of the early pieces of legislation that were drafted by the PA, some of which went into law.

Officials drafted restrictions on press, restrictions on non-governmental organizations, restrictions on political party formation, and so on. The purpose seemed to be to allow the institutions of Palestinian society to operate in ways in which the president in his wisdom, as the leader of Palestinian society and cognizant of all its security needs, would allow them to operate.

There was a third vision of what a Palestinian state should look like as well, and this was actually a fairly interesting one. This was a vision of Palestine as making for a different kind of Arab politics: instead of emulating other Arab states, it should show them that an Arab state could emerge in a very different fashion. It was essentially based on liberal and democratic ideals as well as the rule of law. Now liberalism and democracy and the rule of law do not all go together easily and they didn't necessarily go together easily in the Palestinian case but for some intellectuals, for some non-governmental organization activists, for some members of the Palestinian Legislative Council, there was an opportunity to use the space provided by

the emergence of the Palestinian National Authority to build a very different kind of political system. The argument that I heard from people who belonged to this school in the late 'nineties over and over again was something like this: "Look, we don't know what's going to happen with the peace process; Israel will do what it will do. The Americans will do what they will do. We're powerless to affect that, but there are things we can do - whatever the Americans and whatever the Israelis do- to build the kind of society that we want. We are not going to sit here waiting for the international community to tell us what we get before we start building this different kind of political system." There were certain symbols, I would say, of this reform effort: it was basically an effort to build the Palestinian National Authority as a reformed creature from the beginning. There were some symbols, the most prominent of which was a Palestinian Basic Law, a document that was drafted in a manner very different from any Arab constitutional document ever. The Basic Law was of course supposed to be the constitution for the PNA. It was supposed to be the first piece of legislation passed by the Palestinian Legislative Council. Well it was drafted at first, as most Arab constitutional texts are, by the legal advisers to the President. They were not necessarily hostile to any ideas of liberalism and

democracy, but they primarily reported to the President. The Palestinian Legislative Council took over this draft without the President's approval and just started working on it on its own. The Council opened it up for public discussion. There was considerable public debate and considerable public interest. The drafting process that more public than the drafting process for any Arab constitution with the possible exception of the recent Iraqi constitution. But here I am happy to say for once – Palestinians were luckier than a neighboring Arab people. The political circumstances in Palestine in the late 'nineties were far better than those prevailing in Iraq recently. This was a full and very robust public discussion and it resulted in the most liberal constitutional document in Arab history. And the Palestinian Legislative Council passed it on three readings and sent it to the President in 1997. There, however, it sat and sat and sat. So essentially the reformists were left with the center-piece of their effort – not their only effort, but the center-piece of their effort -- stymied and blocked. So those are the different visions of what building a Palestinian state was about.

Allow me now to move to an assessment of these efforts before giving some brief speculation about prospects for the future. To assess these efforts, what I'd like to do is to go back to these three different

visions of Palestinian state formation that I talked about and see who won and who lost. The news is not particularly good on any front.

The first vision - that of building a sovereign state, has obviously failed. It depended on a diplomatic process which went horribly awry, beginning in 2000. The Palestinian state was dependent not only diplomatically but in fiscal terms as well, in ways the Palestinians did not really realize when they were signing the Oslo Agreement and especially the Peres Protocol in the mid-nineteen-nineties. Palestinians were creating a state with tremendous budgetary needs and very few resources. Basic tax collection was outside the hands of the Palestinian Authority. Essentially, most Palestinian tax receipts come from products that enter Israeli ports destined for Palestinian markets that are collected by the Israelis and then, after they deduct administrative fees, are passed on to the Palestinians. Now after a few years, the Palestinians for their basic annual budget were no longer dependent on aid; that is to say they could pay for most of their annual budget from their own tax receipts plus this Israeli tax transfer. But they were dependent for any developmental or long-term expenditure on international assistance, which came extremely generously but in a way that essentially meant that the PNA was completely fiscally dependent

on Europe, the United States, the Japanese and on Israeli revenue transfers. That meant that when political conditions changed, the Palestinian National Authority was quite literally almost out of business. When the full fiscal crunch came – and it came in different ways in 2000 - with the beginning of the Intifada, and in 2002, with the threat of the cut-off of aid, and then most severely – when the Hamas government assumed power in March 2006, it led to a fiscal crisis in the Palestinian National Authority, the consequences of which I think are still not quite completely clear. Essentially what you see right now is the decay and almost collapse of most non-essential government services: the ministry of culture for instance (I don't mean that culture is not essential but on the list of governmental priorities, it wasn't the highest) – does not really function. What does function right now in the PNA? The educational system does, although there was a strike that basically brought it to a halt. There was a strike in the court system that has also just recently ended. As for the Palestinian Legislative Council, I have been told that only about 10 per cent of the employees show up to work. Something like one-fifth of the Deputies are in Israeli jails. So that some of the basic structures of the Palestinian National Authority, necessary for sovereignty to operate, do not operate very well any

more and the Palestine Liberation Organization, this kind of umbrella body (Palestinians used to say “We can always go back to the PLO”) is essentially a hollow creation, a paper organization with no real vitality, that is fiscally dependent on the Palestinian Authority, which is itself basically bankrupt. So the pursuit of a sovereign state has failed, at least as of now.

As for the second vision: what of building a normal Arab state on the authoritarian model? Well this had some initial success: before the Palestinian Legislative Council was elected in 1996, you saw a Palestinian presidency that was emerging that any Egyptian would recognize as extremely familiar, something that basically monopolized power in its own hands. When the Palestinian Legislative Council was elected, a different kind of Arab authoritarianism emerged. In places like Egypt and Tunisia are states with very strong institutions but institutions that essentially are accountable to the President and to the Presidency. In Palestine after 1996, you saw almost a deliberate effort by the Presidency to hollow out or by-pass Palestinian institutions. There were laws passed that were simply ignored; there were institutions built that were simply robbed of any authority. The result was a different kind of authoritarianism that was not based on institutions and laws but which simply on the

personal authority of the presidency. That began to decay with the second Intifada. By 2002, the authoritarian order was in an absolute state of crisis with Arafat not simply under siege but basically without any real authority in his own society. He was forced finally to sign the Basic Law and then forced, a year later, to accept the amendment to the Basic Law which transferred all executive authority from the presidency to the cabinet--a cabinet accountable to the parliament. So essentially this vision seems to have died. I should say that it may have recently been revived when Abu Mazen declared that he would hold elections for the Palestinian Legislative Council as soon as the Elections Commission could make the necessary arrangements. This is a blatant violation of the Palestinian Basic Law: Abu Mazen and his legal advisers claimed the Basic Law was ambiguous on the matter. What it actually says is that the term of the legislative council is four years from the date of its last election, and Abu Mazen and his legal advisers seem to find the phrase 'four years' unclear. They read the clause as 'four years, unless the President wants something different'.

This is a very familiar pattern of operation to Palestinians, but it is not one that Abu Mazen has ever followed. It was his predecessor's way of doing business, and it is one (my guess is) that is not likely

to be followed now. So you may see at most a brief revival – or at least a threat of a revival - of that second kind of vision.

Third – what about the reform vision? The story that I've told you about the event in 2003, with the amendment of the Basic Law, seems to be a complete triumph for the reformers. In fact it was. There were some uncomfortable elements for them – for instance their triumph had come not simply because of their own efforts but also because of a public threat by the European Union to stop assistance to the PA unless a whole list of demands of met, most of which Palestinian reformers would have found incredibly familiar because it was their own program. The EU said to Arafat: you have to sign the Judicial Law; you have to sign the Basic Law; you have to have mechanisms of fiscal accountability; you have to submit the budget on time, and this sort of thing. So in 2002 and 2003, the vision seems to have triumphed. You have the famous event of September 11: I refer to September 11, 2002, when the Palestinian Legislative Council rejected a cabinet, brought down a government for the second time in Arab history (the second time that I am aware of, at least). Suddenly you had the birth of real Palestinian democratic politics, the triumph of the reform movement. The conditions were incredibly difficult to be sure, but the Reformists

seemed to have won the day. And you had some semblance of this also occurring with Arafat's death in late 2004, when essentially, in order to determine what would happen to controlled Palestinian institutions, the letter of the Basic Law was followed absolutely precisely and in a fairly democratic manner. However that reform vision seems to have come crashing to a halt with the election of a Hamas majority in the Palestinian Legislative Council and the formation of a Hamas government in March of 2006.

And the odd thing is that some of the most enthusiastic international backers of Palestinian Reform are now actively trying to destroy the success of their own efforts. Perhaps the reasons are understandable, but the irony is certainly not lost on Palestinians and probably should not be lost on us. Essentially we have a Palestinian government that, instead of running things in accordance with fiscally sound procedures, in accordance with international standard practice, is surviving partly on money smuggled in cash in suitcases. This is not what the reform movement was about. You have American support for presidential security sources in spite of an extremely clear provision in the Basic Law, put in partly at American insistence, that internal security is a cabinet responsibility, it's not a presidential one. Now as I say, there may be understandable reasons for these

steps but essentially the reform movement, as the result of these developments, seems to have collapsed overnight.

Or has it?

Well now let me talk very briefly about prospects for the future: the first vision – of a sovereign state – seems to be in shambles, perhaps not permanently destroyed but having some serious setbacks. As to an authoritarian Arab state along the Egyptian model – I think that Palestinians who resented Arafat now would probably prefer to go back to that condition rather than what they live under right now. And the third vision – that of a reformed Palestinian National Authority and a different kind of Arab politics – would seem to have died with the election of Hamas. Well is that really the case? Probably it is; it probably has died but it is not clear. Perhaps it would be best to say that if it has died, it has done so in a strange way. Hamas' victory may be the beginning of the end for the Palestinian Authority, but Hamas and its electoral triumph can also be seen as not simply stemming from the reform movement and the democratic conditions and procedures it insisted upon, but actually in some ways drawing from it. Remember, Hamas ran not under the banner of Hamas but under the name 'Change and Reform'. If you look at the Hamas platform, it is ninety per cent about the reform

agenda: rule of law, democracy, and end to corruption and abuse of power. Since the elections, when Hamas discovered all the authority granted to it under the Basic Law, Hamas has adopted a democratic and constitutionalist rhetoric more than any other Arab governing party has ever done.

And Hamas I think offers a different kind of politics some of elements of which Palestinians have longed for: it presents itself as a public-spirited movement in an unusual way. If you listen to the way Hamas political leaders present themselves, they almost always talk in the first person plural: "We" this and "we" that. Listen to Fatah leaders; it's usually first person singular: "I" this and "I" that. Hamas leaders present the image of politics as the sphere where they are called upon to act for the public good, not as an avenue for personal ambition. And while Hamas is viewed, I think quite accurately, as a very ideological movement, as a movement that offers principle rather than practicality, it presents itself slightly differently to the Palestinian audience as an immensely practical movement, one that does not talk but acts. Its emphasis is on practical achievement and action rather than endless posturing and rhetoric.

So in some ways Hamas can present itself as the fullest flowering of the Palestinian reform movement. But is that what it is actually pursuing? Is that what it

is actually building? I think not. It has taken the leadership of many important Palestinian National Authority positions but it remains alienated from much of the machinery, the day-to-day machinery of Palestinian government. I met a Palestinian Legislative Council member, a press spokesman, on the day on which the new government took office. I was somewhat nervous about the interview, so I tried to begin the interview with what I thought was a very easy question. Instead of "How's the weather?" or "What's your favorite soccer team?" I asked "What are the first two or three laws you wish to see passed?" There was an awkward silence which lasted for a couple of minutes; my pen was ready to record anything that he might say they wished to do. Finally he said 'The President sent us a law for our consideration but I forget what it was about'. And I imagined in my mind a member of the American Congress, asked a question like that and similarly thrown for a loss. Hamas, I think, does take its position as governing the Palestinian Authority fairly seriously but it was completely unprepared for the responsibility and with the bankruptcy of the PA. And now Hamas in the Legislative Council is not even able to get a quorum. Even if it could get a quorum it would simply be outvoted simply because so many Hamas deputies are in jail.

One of the center-pieces of the reform movement that I did not mention was a thoroughly mundane piece of legislation called the Budget Law, for a brief period the most public and transparent budgetary process and document in the region. I am aware that Israel is in the region but I am unaware of how the budget is handled here so I shouldn't make this comparison, so let's say *one of the most* transparent in the region, and certainly in the Arab world. The one Hamas legislative achievement to date is to convince the Legislative Council to delay the date on which the budget was due and to break even that deadline.

I think therefore that, while it is possible for Hamas to position itself, to present itself as the fullest flowering of the reform movement, in fact its achievements to date have fallen far short of reform. And that's why I would like to go back to what I hinted at in the beginning: we could be witnessing the death of the Palestinian national movement but not the death of Palestinian national identity. That's a very volatile mixture. I don't think the end of the Palestinian national movement will actually come simply because with international support, key Palestinian public institutions are managing to limp along. But I think that the prospect of continued political decay within the West Bank and Gaza is quite real and yet the people are still there, and they still have national aspirations which are not given authoritative

expression in any kind of secure institutional form. I
don't think that's good news for Palestinians and I
don't think that's good for people who live near them.
I will conclude on that rather somber note.