Justice for All: Toward an Integrated Strategy for the Liberation in Palestine

*George E. Bisharat*

I Introduction 28
II What is “Integration”? 30
III Justice for All Palestinians 31
   A The Moral Imperative 31
   B Pragmatic and Political Justifications for Integration 33
IV Legal Integration 38
V Political Integration 41
VI Vertical Integration 43
VII Longitudinal Integration 44
VIII What Might an Integrated Strategy Look Like? 45
IX An ICJ Advisory Opinion on Israeli Apartheid 46
X Seeking Israeli Citizenship 51
XI A Law of Return for Jewish Refugees from Arab countries 52
XII Conclusions 54

I Introduction

The main objective of this article is to stimulate discussion towards an integrated strategy for liberation in Palestine. A strategy that is integrated in the ways delineated below will be more capable of achieving justice for all residents rather than a strategy that lacks such integration. The modes of integration proposed here might not be entirely novel and some are, to a degree, already implicitly practiced in the struggle to end the injustices. A variety of indicia suggest that a reminder of, and explicit rededication to, strategic
integration may be helpful. Three illustrative examples of specific steps that might reflect an integrated strategy will be provided, but the main offering of this article consists of guidelines for devising a strategy rather than providing a fully developed strategy itself.

One important preliminary point must be made: no strategy, no matter how brilliantly conceived, is self-executing. Strategies require leaders and, depending on the specific strategy, others who are both able and willing to carry the strategy towards fruition. However, it would be a mistake to limit our horizons to only those steps that are likely to be acted upon by the current Palestinian leadership and/or under the current conjuncture of political circumstances internally and externally. To do so would put unnecessary limits on our imaginations and narrow the current options under consideration for advancing justice in Palestine at a moment when creativity is most needed.

What is the value of defining a strategy that, considering the real political limitations, cannot or will not be executed? Two responses seem appropriate. Firstly, we should be alert to the possibility that some measures can be taken by actors in civil society and without the direct participation of Palestinian officialdom. Secondly, and perhaps more importantly, is that if a promising strategy were to emerge from this discussion and it were apparent that current the Palestinian leadership would be unwilling or unable to execute that strategy, the exercise in itself would graphically demonstrate the urgent need for internal Palestinian political reform. The view taken here is that it would be preferable to replace the leadership to execute a brilliant strategy than to diminish the strategy to match an incapable or reticent leadership.

This implies the need to foster a Palestinian leadership that genuinely represents the interests of all Palestinians and that is accountable to its constituents if and when it fails to do so. In many ways, this is a very knotty challenge that must be addressed, but is not the topic of this article.1 The most visionary strategy is useless if the political will to pursue it is lacking.

1 This author has undertaken a preliminary analysis of the challenges in establishing a democratically accountable Palestinian leadership. See George E. Bisharat, Re-democratizing Palestinian Politics, 17 UCLA J. Int’l L. & Foreign Aff. 1 (2013). Others, of course, have debated these same questions; see, e.g., Osamah Khalil, The PLO has failed Palestinians; let’s start again from scratch, Electronic Intifada (Mar. 21, 2013), http://electronicintifada.net/content/plo-has-failed-palestinians-lets-start-again-scratch/12300; Rana Barakat et al., An Open Debate on Palestinian Representation, Al-Shabaka (May 1, 2013), http://al-shabaka.org/node/604. The Palestinian leadership itself has intermittently embraced the cause of reform, even establishing a “PLO Reform Committee” in 2011; see PLO Reform Committee ‘to meet after UN bid’, Maan News Agency (Nov. 25, 2012), http://www.maannews.net/eng/ViewDetails.aspx?ID=541809. Still, no significant reforms have actually been instituted.