The Delusion of State Building in the Palestinian Territories

The Dutch Contribution

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Abstract
This article addresses the question as to what extent the Dutch contribution to the Palestinian state building process as negotiated during the 1993 Oslo Accords has been successful. Success, in this case, is measured by the extent as to which the Dutch support for this process has led to, or created favorable conditions, for a viable two-state solution within the Israeli-Palestine conflict. To assess the level of success of this contribution, a theoretical framework based on three theories and conceptions on the state and state formation by Max Weber, Charles Tilly and Michael Mann. This article argues that, while the Dutch contribution to the Palestinian state building process roughly matches the theoretical framework, the lack of political context within this technocratic project puts severe restrictions on the desired outcome of a viable two-state solution.

INTRODUCTION

The theme of this research revolves around the conflict between Israel and Palestine. What I plan to do is to take a look at a future Palestine state and subject it to the concept of the Westphalian state, and through the lens of classical state building theories by Max Weber, Charles Tilly and Michael Mann. Where a Westphalian state is defined as having a permanent population, a controlled territory, a government with a monopoly on authority and relations with other sovereign states, the three scholars mentioned earlier each add an additional layer on what makes a state. Weber adds that a state is a human community that successfully claims the monopoly of the legitimate use of violence within a territory.[1] Apart from the state's monopoly of violence, legitimacy plays a role in the Weberian state as well. This can be based on traditional domination, a charismatic leader or, ideally, on legal-rational rules safeguarded by institutions.

Tilly instead looks at the way a state comes to be. According to his research, states or state agents generally engage in four activities. By war making, the elimination or neutralization of rivals outside the territories in which an actor aims to rule occurs. After the rivals outside of those territories are out of the equation, those within the desired territories need to be eliminated, a process identified as state making. The following two

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[1] Max Weber. "Politics as a Vocation," in *From Max Weber: Essays in Sociology*, eds. H. H. Gerth and C. Wright Mills (London: Kegan Paul, Trench, Trubner & Co, 1947): 4.

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activities are the protection of the actor's clients and the extraction of resources, resources meant to carry out the first three: war making, state making and protection.[2]

The third theory about state building and/or state building comes from Michael Mann. Mann looks at the way power is exerted by rulers. First, he identifies despotic power; the range of actions a ruling elite can undertake without any negotiations with other actors in political and civil society, also called the autonomy of power. Second sense of power is what Mann calls infrastructural power; the capacity of the state to penetrate civil society and to logistically implement political decisions within its territories.[3]

The Netherlands supports a two-state solution for the Israel – Palestine conflict.[4] The main research question of this research is to what extent the Dutch support for the Palestinian state building process has been successful between 1994 and 2014. Therefore, I will examine how the Dutch support coincides with the elements Weber, Tilly and Mann consider essential for the state formation/state building process. Does this support provide the means to create a sovereign state where authority is institutionalized for the long term, which can eliminate domestic rivals, eliminate external rivals, eliminate the enemies of its clients and acquire the means to carry out the first three activities, and will this state have the infrastructural power to actually penetrate civil society and implement political decisions? To answer this question, this work will be divided into three parts. The first part will explain the theoretical framework that this research revolves around, namely the theories about state building and state formation by Weber, Tilly and Mann. The relevance of these three scholars comes from the fact that they all base their concepts of the state, its function and the way it emerges on a western perspective. This might not seem applicable to a Middle Eastern territory like that of Palestine, but the Oslo Accords of 1993 included demands for the future Palestinian state to be based on western liberal democratic principles just like Weber, Tilly and Mann define in their work.[5] Only after

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[2] Charles Tilly. "War Making and State Making as Organized Crime," in *Bringing the State Back In*, ed. P. B. Evans, P. B. Dietrich Rueschemeyer, and T. Skocpol (Cambridge: Cambridge University Press, 1985): 169-191.
[3] Michael Mann. "The Autonomous Power of the State: Its Origins, Mechanisms and Results", in *States in History*, ed. J. A. Hall (Oxford: Blackwell, 1986), 109-136.
[4] Underscored by Pieter Omtzigt (CDA) in a Dutch parliamentary discussion: Handelingen Tweede Kamer (HTK), 23432, nr. 353. *The Situation in the Middle East.* 08-10-2013.
https://www.tweedekamer.nl/kamerstukken/detail?id=2013Z19147&did=2013D40920
[5] Wendy Pearlman, *Violence, Nonviolence and the Palestinian Movement* (Cambridge: Cambridge University Press, 2011), 124-125.

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examining these theories can the comparison with the policy that the Netherlands apply in support of the two-state solution be made, which will be the next part of this research.

The second part will answer the question what the Netherlands actually do to support the Palestinian part of the two-state solution. To examine the success of the Dutch contribution, the actual contribution needs to be examined first. The foreign ministry states that the protection of a future Palestine state should be guaranteed, the socio-economic situation in the Palestinian Territories need to be improved and that the Netherlands aims to be a part of a definitive solution of the conflict.[6] This being said, the actual contribution remains to be examined. The second chapter will cover this contribution by closely examining the period between 1994 and 2014. The starting date of 1994 is chosen because that is the year the Palestinian Authority emerged as the base of the future state of Palestine.[7] This emergence announced the start of a process designed to lead towards fully independent and sovereign Palestinian statehood.[8] A western perspective on statehood, though, thereby creating the problem of 'skipping right to Weber' that emerges when external state building by western actors occurs.[9] With the emergence of the Palestinian Authority, an important step has made by the Palestinian side as well. While for the PLO a Palestinian state mutually excluded the already existing state of Israel, this was no longer the official view of the PA. With the two-state solution being a negotiated outcome of the Oslo Accords, the PA supported this approach from now on. The year of 2014 as end date of the examined period is dictated by the main sources this research is based upon. This research will be based heavily on two policy evaluations carried out by the Directie Internationaal Onderzoek en Beleidsevaluatie (IOB)[10]. As part of the Ministry of Foreign Affairs' Policy and Operations Department, this directorate evaluates Dutch foreign policy in various situations and locations. For the support for the

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[6] Dutch Ministry of Foreign Affairs, *The Netherlands supports Middle Eastern peace process*, accessed on May 13, 2021, https://www.government.nl/topics/international-peace-and-security/middle-east-peace-process.

[7] Rachid Khalidi, *The Iron Cage: The Palestinian Struggle for Statehood* (Oxford: One World Publications, 2007), 157.

[8] Rafaella del Sarto, 'Stuck in the Logic of Oslo: Europe and the Israeli-Palestinian Conflict', in: *The Middle East Journal*, 73 (2019), nr. 3, p. 377-378.

[9] Martine van Bijlert. "Imaginary Institutions: State-Building in Afghanistan." In *Doing Good or Doing Better: Development Policies in a Globalizing World*, eds. M. Kremer, P. van Lieshout, & R. Went (Amsterdam: Amsterdam University Press, 2009): 157-173.

[10] The Dutch name Directie Internationaal Onderzoek en Beleidsevaluatie translates to English as the Policy and Operations Evaluation Department. Dutch Ministry of Foreign Affairs, Directie Internationaal Onderzoek en Beleidsevaluatie, https://www.rijksoverheid.nl/ministeries/ministerie-van-buitenlandse-zaken/organisatie/beleidsevaluatie/iob.

Palestinians, two policy evaluations currently have been carried out. One for the period from 1994 until 1999, and a second one covering the period from 2008 until 2014. The fact that these policy evaluations are carried out by a governmental body can lead towards some questions regarding its possible bias in evaluating its own policy. To make up for the possibility of any biased conclusions in these reports, they will be compared with a similar evaluation made by the European Commission on its policy on support for a future Palestine state.[11] This European evaluation covers the period between 2008 and 2013, roughly coinciding with the second Dutch policy evaluation by the IOB.

In the third chapter, the Dutch contribution described in chapter two will be compared to the state building theories described in chapter one. For this research, the success of this contribution will depend on how much it is in line with what Weber, Tilly and Mann argue is necessary for a state to function and remain viable in the international system. Where the first two chapter describe the theoretical framework and examine primary sources about the Dutch support for the future Palestinian state, this third chapter will analyze to what extent the two overlap, and thus be successful from this framework of western state building theory.

In relation with existing literature, the relevance of this study is its particular focus on the Dutch contribution to the Palestinian state building process. The efforts of individual small states are easily overshadowed by debates about the support and the position regarding the conflict of international protagonists like the United States, the European Union, the United Nations and Russia. As Anne Le More puts it, there seem to be only two key actors with who influence the Israel-Palestinian conflict: *"The US plays, the EU pays".*[12] Dutch MP Michiel Servaes (PvdA, social-democrat), envisioned slightly different roles for the US and Europe by stating that *"the US should facilitate, Europe should stimulate".*[13] Le More, however, argues that the US support for the Palestinian state building process as the main topic of this research is ambiguous. Historically, the US is a strong supporter of Israel, and contributing to a Palestinian state might not serve those

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[11] European Commission, *Evaluation of the EU Cooperation with the occupied Palestinian territory and support to the Palestinian People 2008-2013* (Brussels, Evaluation Unit of the Directorate General for Development and Cooperation – EuropeAid, 2014).

[12] Anne le More, *International Assistance to the Palestinians after Oslo. Political Guilt, Wasted Money* (Londen and New York: Routledge, 2008).

[13] HTK, 23432, nr. 353. *The Situation in the Middle East.* 08-10-2013.

interests. The priority for the US lies on security, rather than the promotion of democracy. To underline this point, Le More quotes a staff member of the National Democratic Institute (NDI):

"The international community has had a very short-term perspective. It wanted to support the peace process. It never had the political will to promote Palestinian democracy. It is true, that money went to democratization projects, but at the end of the day, it is about foreign governments pushing issues forward politically. Civil society can implement projects but if the PA at the same time is executing citizens after a 20 minutes trial, the signal sent is very different."[14]

The dominance of US and of course Israeli influence within the conflict, smaller states experienced difficulty to secure a seat at the table. For the member states of the EU, the European aid programme to the Palestinians proved a way to have a way in supporting Palestinian state building and democracy building. About half of all international aid to the Palestinians was provided by the EU, including United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), special funding for the Middle East Peace Process (MEPP), the MEDA funds for the implementation of the Euro-Mediterranean Partnership (the Barcelona Process, 1995) and the European Commission Humanitarian Aid Department (ECHO).[15]

Between 1994 and 1998, most of the EU aid programme went to the construction, infrastructure and natural resources sectors. Promotion of democracy was also present during this period, but the focus during this time was aimed at the infrastructural component of institution building, rather than political and technical assistance to PA institutions. The European Commission, in addition, also acted as one of the main donors for the 1996 elections.[16]

When narrowing down the existing literature covering the Israeli-Palestine conflict towards the particular topic of state building, contributions by European states are examined as contributions by European institutions. Noteworthy here is the work of

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[14] Quoted in Le More, *International Assistance to the Palestinians after Oslo*, 87.
[15] Le More, *International Assistance to the Palestinians after Oslo*, 88.
[16] Ibid, 88.

Anders Persson on the European Union's role in the process of building a Palestinian state.[17] Persson analyses the work done both by internal and external actors. From the inside, he mainly focusses on Salam Fayyad, who became Palestinian prime minister in 2007 and resigned in 2013. Fayyad's view on state building was built around creating security; his Palestinian Reform and Development Plan (PRDP) identified security as a top priority for the PA.[18] This idea is in line with Tilly's third activity of a state: protecting its own clients.

For external actors, Persson also looks at the European Union. For the EU's support, Persson makes the distinction between contributions to the security sector on the one hand, and support for political development on the other. The EU's support for reforms in the Palestinian security sector starts in 1994, when it became one of the main donors to the UN police donor group, the Committee of International Assistance to the Palestinian Police Force (COPP).[19] The EU's contribution to political development finds its roots in the Oslo Accords, when state building was regarded as an approach to lasting peace and stability. The EU's main contribution initially was its support in setting up the PA in 1994, however, future diplomatic action proved limited when the United States and Israel marginalized European institutions as diplomatic actors.[20] In 2010, the European Commission stated that the objective of EU policy towards the Palestinians is the creation of an independent, democratic, contiguous and viable state.[21] Similar to the work in the security sector, the EU's efforts in the political development in the Palestine Territories can be related towards state building theories used in this research. Weber's view on legitimacy is seen in the EU's appeal for Fayyad's notion that bases an Arab leader's legitimacy on an accountable administration with quality institutions in the fields of finance, police and social services. Although praised by the international community, Fayyad's ideas never resonated with his Palestinian constituency.[22]

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[17] Anders Persson, *The EU and the Israeli–Palestinian Conflict 1971–2013: In Pursuit of a Just Peace* (Lanham et al.: Lexington Books, 2014).

[18] Persson, *The EU and the Israeli–Palestinian Conflict 1971–2013,* 97-98.

[19] Ibid, 99.

[20] Joel Peters. "Europe and the Arab-Israeli Peace Process: The Declaration of the Euro- pean council of Berlin and Beyond" in *Bound to Cooperate – Europe and the Middle East,* eds. S. Behrendt & C. Hanelt (Bertelsmann: Gutersloh, 2000). Referred to in: Anders Persson, *The EU and the Israeli–Palestinian Conflict 1971–2013: In Pursuit of a Just Peace* (Lanham et al.: Lexington Books, 2014), 117.

[21] European Commission's 2010 Progress Report on the occupied Palestinian territory, quoted in Anders Persson, *The EU and the Israeli–Palestinian Conflict 1971–2013: In Pursuit of a Just Peace* (Lanham et al.: Lexington Books, 2014), 117.

[22] Persson, *The EU and the Israeli–Palestinian Conflict 1971–2013,* 125.

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Both Le More and Persson have done relevant work in the field of European support for the Palestinian state building process. Their work, in case of Europe, is based on supranational institutions instead of the individual member states. This very research finds its relevance in doing just that; focusing on the Netherlands to examine the contribution of one individual state.

THEORETICAL FRAMEWORK

The Oslo Accords of 1993 dictated that future Palestinian state to be based on western liberal democratic principles just like Weber, Tilly and Mann define in their work.[23] The theories of these three scholars will be explained here and will serve as the theoretical framework of this research, but first I will clarify the definition of a state this research will use. What a state is, what it is supposed to do and how it is organized leaves room for some cultural relativity. Because of the involvement of western actors in the Palestinian state building process, the theoretical framework about state building and state formation will be based of western principles. A core principle in this context is the Westphalian sovereign state, which is defined as having a permanent population, within a controlled territory, ruled by a government with a monopoly on authority and having relations with other sovereign states. Sovereignty within a Westphalian state is exerted both internal and external; non-intervention and self-determination are key concepts.[24]

Max Weber will provide the first theory about states and state building. Weber argues that a state can never be defined in terms of its ends, something I just did when giving a definition of the Westphalian state. States, or any political associations present before the emergence of modern states have engaged themselves in any possible task at hand; no single task can be identified as being exclusive to a political association. The state, therefore, can only defined in terms of one specific means peculiar to it: the use of physical force.[25] Weber rightfully acknowledges the fact that there are of course many

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[23] Wendy Pearlman, *Violence, Nonviolence and the Palestinian Movement* (Cambridge: Cambridge University Press, 2011), 124-125.
[24] Janice E. Thomson, *Mercenaries, pirates and sovereigns. State-building and extraterritorial violence in early modern Europe* (Princeton, 2001), 14-18.
[25] Weber, "Politics as a Vocation", 1.

actors who are capable of using physical force. A state, however, is a human community that successfully claims the monopoly of the legitimate use of physical force within a given territory.[26] Three of the four elements of the Westphalian state are identifiable within this definition: a permanent human population, a territory that needs to be controlled and a ruling body with the legitimate monopoly on authority and violence.

For a state to exist, its exerted authority needs to be accepted by the dominated. Weber has identified three justifications upon which the legitimacy of authority rest. First, there is the traditional authority, the authority of the eternal yesterday exercised by royal families or dynasties. The second justification is based on extraordinary charisma, the absolute personal devotion and personal confidence in revelation, heroism or other qualities of individual leadership. A ruler like this is obeyed because his constituency believes in him. Charismatic legitimacy is often found in prophets, war lords or political party leaders. Finally, there is authority legitimized by virtue of legality. It is based on the belief in the validity of legal statutes and functionality based on rationally created rules. Authority here in institutionalized for the long term, and state systems organized in this way are known as 'Weberian states'.[27] Most western states fall into this third category, and this Weberian state is what western states aim for when they find themselves in external state building projects. 'Skipping right to Weber' is a pitfall western states might find themselves in when exporting elements of their own Weberian state systems to territories not accustomed to this way of organizing authority, a situation Martine van Bijlert explains when applied to Afghanistan.[28]

After having examined Weber's definition of a state and his view on the ideal way to govern one, next up is Charles Tilly's conceptualization of how states emerge, how states become states. Tilly, just like Weber earlier, also defines a state as standing out from other political associations by their ability to monopolize the means of violence.[29] This

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[26] Ibid, 1-2.
[27] Ibid, 2-3.
[28] Van Bijlert, *Imaginary Institutions: State-Building in Afghanistan*, 157-173.
Martine van Bijlert is Co-Director of the Afghanistan Analysts Network. She served as political adviser to the European Union's Special Representative for Afghanistan from 2004 to 2009 and has worked as an independent consultant on Afghanistan since 2007, providing political analysis in the fields of governance and institution building, insurgency and tribal politics, and democratization in (post-)conflict societies.
[29] Tilly, "War Making and State Making as Organized Crime*", 171.

monopoly of violence, and thus statehood, is reached after the agents of future states have successfully engaged in the following four activities[30]:

1. War making: Eliminating or neutralizing their own rivals outside the territories in which they have clear and continuous priority as wielders of force
2. State making: Eliminating or neutralizing their rivals inside those territories
3. Protection: Eliminating or neutralizing the enemies of their clients
4. Extraction: Acquiring the means of carrying out the first three activities

Each of these activities produces characteristic forms of organization. War making leads to armies, navies and related services. Increased state making creates means of surveillance and control within the state's territory. Protection adds instruments or institutions by which the protected can call for that protection, notably courts of justice and representative assemblies. Extraction, gradually evolving from plunder and booty to bureaucratic taxation as currently commonplace, introduced fiscal and accounting structures. This way, Tilly argues, the organization and deployment of violence accounted for much of the structure of European states: *the state made war, and war made the state*.[31]

These four activities are largely interdependent, and do not need to occur in the order described earlier. There is, however, an idealized sequence of the classic European state formation experience. This sequence starts with a powerful actor able to make war so effectively it results in dominance in a certain territory. This war making requires a substantial number of resources in various shapes and forms. Men, weapons, food and supplies needed to be extracted from the population within that territory. The capacity to extract these resources increased with the increased capacity to make war, reinforcing each other continually. In addition, successful extraction eliminates, neutralizes or forces any domestic rival of this powerful actor to cooperate, which in turn leads to state making. By-products of these processes are taxation systems, banking systems, police forces, bureaucraty and courts, all of which contribute to the formation of a state. In doing so, these early state actors form alliances and develop ties with members of the population

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[30] Ibid, 181.
[31] Ibid, 181.

able to provide extra resources, assistance in various fields or ensure the compliance of the rest of the population in return for their own rivals and enemies, leading to the activity of protection. The sum of these activities, Tilly argues, is the creation of the nation state as seen in Europe during the early modern period.[32]

The third theory about states has not so much to do with state building and state formation as the two previous ones have. Instead, Michael Mann looks at the autonomous power a state possesses.[33] Mann defines the state in a similar way Weber and Tilly do, except for the monopoly of violence, on which he favors a more nuanced approach. What Mann does is look at the development of state power. What makes a state powerful? What is the best way for a state to use this power? Two different types of power are identified in answering these questions. First type of power is what Mann defines as despotic power: the range of actions which the state is able to undertake without any negotiation with other actors in society.[34] Despotic power is what usually is meant in the literature by 'autonomy of power'. Historical examples of unlimited despotic power can be found in Roman emperors, European monarchs or, more recently the Soviet Union's party elite.

The second type of power is termed as infrastructural power: the state's capacity to actually penetrate society and implement political decisions throughout its controlled territory. In present times, these powers are immense. The state can tax our income, access massive amounts of personal information, influence the economy and enforce its will.[35]

Having defined these two types of state power, four types of state can be derived depending on a high or low amount of both despotic and infrastructural power. Starting with low despotic power and low infrastructural power, the weakest form of state is the feudal state. The imperial state is the next step. It shows some despotic power by having its own government actors, but lacks the capacity to penetrate society without the assistance of other powerholders. Ancient empires like the Roman of Persian ones are examples of this type. The third type of state is what Mann calls the bureaucratic state, which is the kind of state to be found in liberal democracies. High infrastructural power and bureaucratic organization, but other groups in society influence and control this

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[32] Ibid, 181-184.
[33] Mann. "The Autonomous Power of the State: Its Origins, Mechanisms and Results", 109-136.
[34] Ibid, 113.
[35] Ibid, 113.

state's power in such a way it lacks despotic power. The fourth and final type of state combines high despotic power with high infrastructural power to form an authoritarian state. This type of state can be defined as institutionalized despotism, where the high infrastructural power deals with any competing power groups present.[36] Mann's concepts of despotic and infrastructural power will be used during this research to examine the preferred outcome during state building processes, and the four types of state that can emerge from these efforts.

Having explained the justification of these three theories and what they consist of, the Dutch contribution to the Palestinian state building process can be analyzed through the lenses of Weber, Tilly and Mann's ideas on states, state formation and state building. For Weber's theory, this research will first take a look at the monopoly of the legitimate use of physical force within the Palestinian Territories. To what extent does the Palestinian Authority serve this role as the single actor who holds this monopoly? Secondly, the legitimacy of the authority within the Palestinian Territories will be examined. Has the Palestinian Authority, between 1994 and 2014, based its authority on the belief in the validity of legal statutes and functionality based on rationally created rules and is this authority institutionalized for the long term?

For Tilly's theory, not all of the four activities states engage in are applicable in this research. War making is an impossible task; eliminating or neutralizing Israel will never happen, nor does it seem likely that the elimination or neutralization of all enemies of the Palestinian clients is a feasible undertaking. State making, the elimination or neutralization of the PA's rivals inside the Palestinian Territories, is the activity that is most relevant within the context of the Israeli-Palestinian conflict. To what extent did the Dutch support contribute to this process?

Mann's theory about power and the way it is exerted will be compared with the PA, and sometimes touches upon Weber's legal/rational authority. The Weberian state most western donors foresee as the ideal future Palestine State is supposed to score low on despotic power and high on infrastructural power. Can the PA live up to these expectations, or is there a resilience of authoritarianism to be observed?

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[36] Ibid, 113-116.

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THE DUTCH CONTRIBUTION

After the signing of the Oslo Accords, the Netherlands increased its support for the Palestinian territories substantially. This support was channeled through two different tracks: one being financial, the other being political/diplomatic. The former consisted of all development cooperation, including political themes like the state building process, the latter comprised of diplomatic deliberation between the parties involved. Two main objectives were to improve the standards of living in the territories and laying the foundations for sustainable long-term growth. In the socio-economic sector, the Netherlands ranked eighth among all donors in terms of financial aid by providing $113.2 million between 1994 and 1998. The support in this initial period was aimed at improving the Palestinian Authority's management and the capacities of its political institutions. The opening-up of Gaza was also perceived as a substantial goal in the process of future self-determination, and the Netherlands supported the construction of the Port of Gaza. This project was one of the largest expenses made during this period, with other major projects being the financial support to and training of the Palestinian police force, the construction of schools and the Holst Fund, a World Bank-managed aid program.[37]

This research, however, will look more closely at the political aspects of the contribution, since this is where the theoretical framework is aimed at. Within this context, support for democratization and good governance based on the rule of law are main fields where works needed to be done.

In the field of good governance, the most obvious example of institution building was the budget support of the Holst Fund, which made roughly $250 million available in an effort to sustain the Palestinian Authority in its early years. This fund was intended to support the first year of operations of the PA, but stayed in place for some more years in absence of a Ministry of Finance, budgetary procedures and fiscal discipline. By 1998, however, the PA managed to establish a fairly effective financial system which made the need for budgetary support through the Holst Fund no longer necessary and dormant by 1999.[38]

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[37] Directie Internationaal Onderzoek en Beleidsevaluatie (IOB), *Evaluation no. 282: Review of the Netherlands development programme for the Palestinian territories, 1994-1999* (The Hague: Ministry of Foreign Affairs, Policy and Operations Department, November 1999), 19-30.
[38] IOB, *Review of the Netherlands development programme for the Palestinian territories, 1994-1999,* 112.

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Relevant for the Netherlands was a decision made in 1994 to use part of the Holst Fund to create and support the Palestinian police force, the Palestinian Civil Police (PCP).[39] Support for this decision was initially lacking, since this police force would comprise of former guerilla fighters and Intifadah activists. However, the Palestinian community accepted these men in this new capacity and the donor community agreed to start improving this police force, further increasing their morale and their prestige. The support was channeled through the UNRWA and would consist of salaries, equipment and training of the Palestinian police force.[40] After a division of tasks within this project, the Netherlands was requested to provide a training program for police crowd-and-riot control operations. Main points of this program were training for large-scale riot control, the use of minimal force and minimizing injuries to the public and the police. Long term objective was to build a police force able to provide a general perception of security and stability. The ability to control riots is significant by providing the PA with the capacity to deal with internal disturbances on its own, without the need for outside intervention.

During the second reviewed period, this support for the Palestinian police force continued to be an important pillar of governance sector projects aimed at strengthening the basis of a functioning Palestinian state. Two projects in this sector are relevant for this research, as they fit into the theoretical framework described in the first chapter. The continuous support for the police force is already mentioned, and the second relevant project in the governance sector is the Access to Justice (A2J) project. The desire to strengthen the Palestinian judicial sector became pronounced in a Dutch parliamentary debate in 2013, when MP Sjoerd Sjoersma (D66, social democrat) asked the question why the Netherlands did not invest more in increasing the strength of the Palestinian justice system.[41] One of the main challenges the Palestinian Territories face are the separation of the West Bank and Gaza, which has an enormous effect on building the state. One of the objectives of the Dutch contribution to the A2J project was to address this very challenge, which therefore is relevant for the Dutch contribution for the state building process.[42] This split between the two territories and between Hamas and Fatah is considered to be

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[39] Decision made at the 1994 Consultative Group meeting in Paris

[40] IOB, *Review of the Netherlands development programme for the Palestinian territories, 1994-1999,* 112.

[41] HTK, 23432, nr. 353. *The Situation in the Middle East.* 08-10-2013.

[42] Directie Internationaal Onderzoek en Beleidsevaluatie (IOB), *Evaluation no. 412: How to Break the Vicious Cycle, Evaluation of Dutch Development Cooperation in the Palestinian Territories, 2008-2014* (The Hague: Ministry of Foreign Affairs, Policy and Operations Department, April 2016), 85-96.

the main weakness in creating a functioning judicial system. What the A2J project further comprised of was the provision of free legal aid in the West Bank and Gaza, it raised awareness of the legal system within the Palestinian Territories, the training of lawyers and it provided technical advice to PA legal/judicial institutions.[43] During this second period under review, the existence of parallel justice systems made the project and its implementation complicated. Establishing an undivided justice system was not an objective by this project, but in a functionalist manner it is recognized as being a possible area that could lead to more integration between the two main territories.

Both the A2J and the PCP support are evaluated by the IOB as not sustainable without the financial and institutional support from international donors.[44] The Ministries of Justice and Interior respectively are not able to coordinate this support on their own. Besides this, however, the main factor affecting these projects in a negative way remains to be the Israeli presence within the Palestinian Territories. For the A2J project, this means that cases concerning Israeli personnel or Israeli law have negative effects for both the Palestinians involved in these cases, but also the international support community trying to promote and establish a judicial system based on international human rights. Since many Israeli laws do not comply with these standards the international community aims to promote, the chances for Palestinians to find justice in this context are minimal and, even worse, fails to provide any sense of trust in this system within the Palestinian population. Similarly, the PCP's effectiveness is limited by the reliance on Israeli permits to travel between different areas, thereby limiting their movement within the areas they are supposed to control. Where the IOB report mentions this situation, the lack of political context within the entire state building project deserves more attention.

Alaa Tartir goes as far as arguing European aid has and is *'failing to produce positive outcomes in any of the priority areas: peacebuilding, security reform, democracy promotion and state building'*.[45] Relevant to this research is Tartir's argument includes the European

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[43] IOB, *Evaluation of Dutch Development Cooperation in the Palestinian Territories, 2008-2014,* 88-89.
[44] A statement by the IOB reflecting their perspective on the Dutch contribution
[45] Alaa Tartir. "Securitizing Peace: The EU's Aiding and Abetting Authoritarianism", in Alaa Tartir and Tom Seidel, *Palestine and Rule of Power. Local Dissent vs. International Power* (Cham: Palgrave Macmillan, 2019), 229.

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Union's Coordinating Office for Palestinian Police Support (EUPOL COPPS), a mission part of the wider EU effort to support Palestinian state building established on 1 January 2006.[46] During the second period reviewed by the IOB, the Dutch support to the PCP has been a subsidiary of EUPOL COPPS. Tartir argues that this project has led to an increase of authoritarianism through a top-down professionalization of the internal security apparatus, not taking into account existing power relations on the ground and the security perspective of the Palestinian population; a purely technocratic project.[47] This focus on technical assistance and the lack of political support shows the limits of the EU's support for the Palestinian state building process, the limits of an international actor whose foreign policy is biased towards apolitical economic support.[48] Within the context of a conflict as politicized as the one between Israel and the Palestinian Territories, Tartir argues that apolitical approach of EUPOL COPPS is severely limited, and without taking the unbalanced power relations into account, this and similar contributions will remain unable to change the dynamics of seemingly intractable conflicts.

While EUPOL COPPS was not yet in place during the IOB's first reviewed period from 1994 to 1998, the same general message can be taken from Tartir's critique. While both short- and long-term goals concerning the support to the Palestinian police force are evaluated with positive results, the wider context of the technocratic nature of this project leads to doubt as to what extent this kind of assistance can lead to a viable state. A huge security apparatus without a monopoly of the use of legitimate violence nor a certain level of legal/rational institutional authority will not lead to a situation in which a political association can engage in state making. With this critical note in mind, did the Dutch contribution to the Palestinian state building process contribute to establish favorable circumstances for viable state building to occur according to the theoretical framework described in chapter one?

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[46] European External Action Service, *EUPOL COPPS Mission statement*, https://eupolcopps.eu
[47] Tartir, *Securitizing Peace: The EU's Aiding and Abetting Authoritarianism*, 229-231.
[48] Ibid, 237-240.

DID THE ACTUAL CONTRIBUTION MATCH THE THEORETICAL FRAMEWORK?

The first chapter of this research presented the theoretical framework by combining theories and concepts about states and state formation by Weber, Tilly and Mann. The next chapter shed some light on the contribution of the Netherlands concerning the Palestinian state building process in the context of a two-state solution within the Israeli-Palestine conflict. This chapter will apply the theoretical framework to the data about the Dutch support acquired from the main primary sources used for this research, being the two policy evaluation reports by the IOB.

During the first period for which the IOB evaluated the Dutch policy, from 1994 until 1998, the two projects most relevant to the state building process examined in this research are the financial support through the Holst Fund and the support for the Palestine police force as described in chapter one. This fund alone made $250 million available in the early years of the PA to support the establishment and the capacity building of its institutions. Considering the PA was to be the basis of the future Palestine state as negotiated in the Oslo Accords, the institutionalization of its authority matches Weber's concept of the ideal base of authority within a state. The support in this initial period was aimed at improving the PA's management and the capacities of its political institutions, basing its authority on the belief in the validity of legal statutes and functionality based on rationally created rules institutionalized for the long term. From a state building perspective, this support seems a logical start for a future Palestine state; make sure that the legitimacy of authority is based on legal/rational institutions, instead of authority based on the eternal yesterday or that of the charismatic ruler. In this case, the theoretical framework seems to match the actual support. The extent, however, as to which this reflects the actual power dynamics 'on the ground' remain questionable. During the time Yasser Arafat was president of the PA, from 1994 until his death in 2004, his political control was highly personalized. Rashid Khalidi argues that during Arafat's presidency, there was a tendency to describe every Palestinian decision as being his

personal work.[49] Wendy Pearlman adds that *"political control was so personalized that Palestinian politics had become almost wholly subservient to his sense of timing, temperament, and choice of priorities and methods."[50]* Despite the international donor's efforts to promote a liberal democracy in the Palestine Territories, Arafat acted as any other authoritarian ruler would:

"Arafat refused to sign the Basic Law (the PA's interim constitution) because he saw that would strengthen the legislature. Arafat refused to sign the Judiciary Law because he did not want a strong, independent judiciary. Arafat refused to sign the Civil Service Law because that would mean that control over hiring would no longer be in his control. Arafat was afraid that the PA would slip from his hands. So he strengthened himself at the expense of the PA."[51]

Despite the growing influence of liberal democracy as an international norm, many regimes in the Middle East were able to remain authoritarian in nature, even after engaging in democracy building projects and establishing parliaments and elections; hybrid pseudo-democracies which remain politically closed.[52] When looking to find an answer for the resilience of authoritarianism in the Middle East, Eva Bellin identified four conditions that are contributing to the proliferation of authoritarian regimes in the Middle East.[53] A first factor is the financial health of the authoritarian regime. Where Bellin describes many authoritarian Middle Eastern rulers can rely on strategic oil and gas resources, this is not the case for the Palestinian Territories. The second factor might compensate for this, as international support networks within the Arab and Islamic world provide the Palestinians with support that strengthens the authoritarian ruler's position. Third and fourth factors are a low level of institutionalization and a low level of popular mobilization. Low amounts of institutionalized authority leave the authority in the hands of either a charismatic leader or a traditional authority, with both options possibly favoring authoritarian rule. In the Palestinian context there is one major factor that has created these two situations. The low level of institutionalization could be a result of the split between Hamas and Fatah having created two weak parallel processes of institution

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[49] Khalidi, *The Iron Cage,* 141.
[50] As quoted by Yezid Sayigh in: Pearlman*, Violence, Nonviolence and the Palestinian Movement*, 131.
[51] As quoted by a Hebron lawyer in: Pearlman*, Violence, Nonviolence and the Palestinian Movement*, 131.
[52] Benjamin MacQueen, *An Introduction to Middle East Politics* (London: Sage, 2018), 265.
[53] Eva Bellin, "Reconsidering the robustness of authoritarianism in the Middle East:
lessons from the Arab Spring", *Comparative Politics*, 44:2, 2012, 127-149.

building, if any. The popular mobilization in this case seems to be aimed at other parties instead of at one authoritarian ruler, weakening the opposition against its regime.[54]

Le More builds on this resilience of authoritarianism and narrows it down to the PA specifically. She argues that where the PA had to run government policies through the Palestinian Legislative Council (PLC), which was supposed to provide oversight to the executive authority, it was often bypassed. The PA's interim constitution, the Basic Law, was approved by the PLC already in 1997 but not signed by Arafat until 2002. During this period, the President ruled mostly by decree.[55] Besides this, corruption within PA institutions became a problem undermining its legitimacy: favoritism, unequal opportunities, abuse of power, monopolies, the private use of public resources and the waste of public funds by lavishly furnishing ministries and buying luxury cars for the personal use of an excessively large number of PA officials.[56]

The IOB acknowledges this fact in its 2008-2014 policy evaluation report. It identifies the continuous suspension of democratic elections and the unilateral authority of the President within the executive and judicial branches of government. Adding to this the example of Arafat's by-pass of the legislative branch, it is not unheard of that the PA's ruling elite controls all three branches of government. Also, during this period, the support seems to match the theoretical framework, but not the actual political situation. The continuing support for the PCP and, more relevant here, the A2J project are aimed at providing the PA with tools to organize their rule on legal/rational principles. When the President, however, negates the established judicial branch, the value of the Dutch contribution to projects like A2J is questionable at least. There is, however, a significant gap between the perceived corruption and authoritarianism and the actual experience of these phenomena. The IOB argues this discrepancy could stem from a general sense of disappointment in government performance, and not specifically the experienced corruption or lack of transparency within the government.[57]

Having brought up the resilience of authoritarianism within the Middle East in general, and in this case the Palestinian Territories, the link to Mann's conception of the

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[54] Bellin, *Reconsidering the robustness of authoritarianism in the Middle East*, 129.
[55] Le More, *International Assistance to the Palestinians after Oslo*, 66.
[56] Ibid, 69-70.
[57] IOB, *Evaluation of Dutch Development Cooperation in the Palestinian Territories, 2008-2014,* 136-140.

use of state power is easily made. With the high level of authoritarianism witnessed within the Palestinian government institutions and its ruling elite, it scores high on despotic power; the range of actions which the state is able to undertake without any negotiation with other actors in society. Arafat's rule by decree, his by-passing of the Palestinian Legislative Council and the unwillingness to sign the interim constitution are what Mann would identify as signs of a certain autonomy of power. Infrastructural power, the state's capacity to penetrate society and implement political decisions throughout its controlled territory, is severely lacking within the PA. The split between the West Bank and Gaza is the clearest example hereof; two split territories with different ruling parties in place means the capacity of the PA as the negotiated base of the future Palestinian state has no capacity to penetrate all of this state's territory. The same goes for Hamas, winner of the 2006 elections, but only in charge of Gaza. The PA, as the IOB argues, lacks full sovereignty over its administered territories.[58] Rachid Khalidi elaborates further on this, arguing that the PA only controls 17 percent of the territory in the West Bank it is supposed to control according to the provisions of the Oslo Accords.[59] The West Bank is compared to a Swiss cheese, full of holes created by Israeli presence. This presence is the factor most infringing on any possible infrastructural power the PA manages to achieve within the territory it is supposed to control and greatly limiting its capacity to penetrate this territorial patchwork and implementing its policies. The Dutch support for the Palestinian Civil Police, however, is aimed at this very issue. Long term objective was to build a police force able to provide a general perception of security and stability. The ability to control riots, the task that the Netherlands were responsible for, was significant by providing the PA with the capacity to deal with internal disturbances on its own, without the need for outside intervention. The stability this sought to achieve and the ability to do it without outside intervention strengthens the infrastructural power, which can be evaluated as successful within this research. Corruption and authoritarianism, on the other hand, also leave a mark on a state's security apparatus, possible playing a part in the resilience of authoritarianism. The Dutch contribution, in this case, is aimed in the right direction, increasing the (future) state's infrastructural power. The political situation, however, leads to an environment where the police force's increased capacity might be used to support an authoritarian ruler's despotic power.

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[58] IOB, *Evaluation of Dutch Development Cooperation in the Palestinian Territories, 2008-2014,* 138.
[59] Khalidi, *The Iron Cage,* 202.

Final factor in this analysis is to what extent the Dutch contribution supported Tilly's concept of state making as one of the four activities states need to engage in when forming or building a state. When engaged in state making, state actors are eliminating or neutralizing their rivals inside their territories. Did the Dutch contribution increase the PA's capacity to do so? Relevant contributions in this field are the support for the PA's governance institutions administered through the Holst Fund and the support for the police force. First the Holst Fund. As a vehicle of financial support, this fund provided the PA with sufficient financial resources to sustain it in its early years. On the one hand this could be explained as limiting their internal rivals' capability to compete with the PA, but on the other hand it offered the PA an opportunity to skip the process of neutralization or elimination of any rivals. In Tilly's theory, the capability to extract resources from the domestic population and possibly rival groups is a way of taking away their means of competition to the state actor's dominance. While providing the PA with the financial support to build and maintain its institutions, this same support makes it possible to skip at least this part of state making.

The support for the Palestinian police force, on the other hand, provides the PA with a means to eliminate or neutralize its internal rivals. A strong internal security apparatus, including a police force, does support state making as described by Tilly. What Tilly's theory does not consider, since it was designed to explain early modern state formation in western Europe, is that a powerful security apparatus with the legitimate authorization to use coercive violence, can lead to a situation not preferred by the international donors who supported this in the first place. The EU's and the Dutch support for the Fatah-led PA leadership since 1993 met a critical juncture after Hamas won the 2006 elections. The practical intention of creating a viable PA with strong institutions and a police force trained by the Netherlands undermined the commitment of promoting a liberal democracy. Hamas won the elections, but the PA conducted security campaigns against Hamas representatives, undermining the results of a democratic election and the rule of law. As a European aid official acknowledged:

"On the one hand, we demand democratic processes, transparency and accountability and constantly stress the importance of human rights. But on the other hand, we have for the

most part been silent about the PA's extra-judicial campaign against Hamas. There is a huge contradiction in our message."[60]

This campaign against Hamas fits the conception of state making as used in this research. In that perspective, the Dutch contribution to the PA's security apparatus could be regarded successful; successful in providing the PA with a means to wage a campaign to eliminate or neutralize its internal rivals. It conflicts, however, with the promotion of a liberal democracy based on Weber's legal/rational institutional authority also negotiated in the Oslo Accords and therefore supported by the Netherlands. In this example, two concepts from the theoretical framework interfere with each other. Individually examined, the argument to evaluate both the institution building and the state making process can be assessed as being successful in the perspective of the theoretical framework this research is based upon, but in the wider scope of working towards a viable two-state solution it cannot.

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[60] International Crisis Group 2010, 33. As quoted in: Tartir, *Securitizing Peace: The EU's Aiding and Abetting Authoritarianism*, 243.

Conclusion

The main research question of this research is to what extent the Dutch support for the Palestinian state building process has been successful between 1994 and 2014. Therefore, I have examined how the Dutch support coincides with the elements Weber, Tilly and Mann consider essential for the state formation/state building process, namely state authority based on the belief in the validity of legal statutes and functionality based on rationally created rules (the Weberian state), engaging in four activities that eventually might lead to a state (*the state made war, and war made the state*), and the way political power is exerted by a state: the division between despotic power and infrastructural power.

What this research has shown, is that the Dutch contribution to the Palestinian state building process between 1994 and 2014 proved to be similar to some of the concepts found within the theoretical framework built around Weber, Tilly and Mann. The Dutch support for the PA was aimed at establishing long-lasting governance institutions based on legal/rational authority, the Dutch aided in establishing a police force to engage in the activity of state making, and the Dutch support for this police force and its project to increase the access to justice for the Palestinian population increased the capacity of the state to penetrate civil society and to logistically implement political decisions within its territories.

Chapter three of this research, however, shows that the effect of these projects within the context of working towards a viable two-state solution within the Israeli-Palestinian conflict as desired by the Netherlands are questionable. The state building projects examined in this research often fit the theoretical framework when assessed individually, but when combined they demonstrate a serious lack of taking into account the political context in which they were implemented, a trend to be witnessed in the EU contribution as well. Without considering this context, effective Palestinian state building is a delusion. For the Dutch to see their support actually leading towards this desired outcome, taking into account the political reality within the Palestinian Territories and within the Israeli-Palestinian conflict, within the Middle East and within the entire international system needs to be a part of its contribution of Palestinian state building. The technocratic route of merely exporting a liberal democracy and thereby 'skipping

right to Weber' is not the right path in solving this conflict. A sudden implementation of western norms, values and state systems is already a big step in a post-conflict situation, let alone in a seemingly intractable conflict like this one.

What this research has added to the existing literature about the Israeli-Palestinian conflict is the close assessment of a smaller individual contributing state. Not international powerful political actors like the United States or Russia, but the Netherlands, one of those small states who see their individual foreign policy often being perceived as the policy of international organizations like the EU. Within the examined projects covered in this research, however, the Dutch contribution has been part of larger EU or other international development policies, most notably the World Bank-led Holst Fund that provided the financial support for the PA and the EUPOL COPPS mission the Dutch support for the Palestinian police force was a part of as described in chapter two. Further researched could be done in this field as to further examine state building contributions that are purely Dutch, something that the allotted time for this research did not allow for.

A second issue to be dealt with in further research is a cross-examination of the policy evaluations used as the main primary sources for this research. The two policy evaluations carried out by the IOB aim to be as objective as possible, but in the end the IOB remains part of the Dutch Ministry of Foreign Affairs. Further research could be directed at a cross-examination of the conclusions made regarding the effectiveness of the Dutch contributions to rule out any bias or national interest.

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