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#Breaking_The_Mold

Arab Civil Society Actors and their Quest to Influence Policy-Making

Country: **Palestine**

The Campaign to Implement the Minimum Wage In Palestine The Regional Political Climate as a Supportive Political Opportunity

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CASE BACKGROUND: THE LEGAL FRAMEWORK AND PROBLEM'S TIMELINE

The Third Chapter tackling wages in the Labor Law No. 7 of 2000, in Articles 86, 87 and 88, approved forming the wage committee and defining its nature and functions. Article 89 stipulates that “the worker’s wage shall not be less than the legally approved minimum wage” (Labor Law No. (7) of 2000, p. 47). However, since passing this law, the minimum wage has remained undetermined, and the level of wages is left to market mechanisms.

According to figures from the Central Bureau of Statistics in 2010, the extreme poverty line in Palestine reached almost 1,738 shekels (approximately \$490) for a family consisting of two adults and three children, and the rate of those falling below this line reached almost 14.1%. Whereas the poverty line reached 2,237 shekels (approximately \$630), those below this line’s rate reached 25.7%.

In a study prepared by Ishteh (2013) based on the year 2000 as a baseline (i.e., the year on which the comparison is made), it was found that the nominal wage rate for a Palestinian worker for the year 2012 was almost 74.1 shekels (\$21), after it was 66.8 shekels (\$19 approximately) during 2000. With a cumulative inflation rate of 54.6% in 2012 compared to the year 2000, the Palestinian worker needs to reach an average wage of 105 shekels (\$29) approximately to maintain the same purchasing power as the average wage prevailing in 2000.

Despite the affirmation of Article 87 of the law mentioned above that the wage committee¹ shall study general policies for wages and their suitability to the standard of living, submit recommendations in this regard to the Council of Ministers, and set the minimum wage for a decision to be issued by the Council of Ministers, the committee had ignored for many years to activate this committee, despite the attempts of the various Palestine General Federation of Trade Unions.

The Federation’s strategic plan between 2007 and 2011 included four strategic objectives, the most prominent of which is strengthening the Federation’s role in union organization and legislation, which took into consideration several demanding issues, the most important of which are determining the minimum wage, providing conditions and decent work conditions, and providing conditions for occupational health and safety, justice, social protection and the fight against unemployment and poverty (Al-Ittihad, 2007, p. 8). Accordingly, it can be said that the campaign to implement the minimum wage and improve working conditions in Palestine, which was launched in 2010 and was successful on the policy level in 2011, was not a coincidence; rather, it was supported by some surrounding circumstances.

¹ Article 86 of Labor Law No. 7 to form the wage committee stipulates that, upon the recommendation of the Minister, the Cabinet shall form a committee called the “wage committee” of an equal number of representatives of the government, employers and workers. Trade union organizations of employers and workers are responsible for naming their representatives on the committee.

SUPPORTIVE CONDITIONS AND POLITICAL OPPORTUNITY²

This paper claims that the political opportunity represented by the Arab revolutions contributed, to a large extent, to the success of the campaign to implement the minimum wage and improve working conditions in Palestine for the year 2011. Despite its special political situation represented by a Palestinian government under the Israeli occupation, Palestine was not far from the ongoing events in the neighboring Arab countries. Fear that these revolutions would spread to Palestine contributed to the government's acceptance of the masses' demands.

The spark of the Arab revolutions erupted in Tunisia on December 17, 2010, after the young Tunisian man, Mohamed Bouazizi, set himself on fire in protest against the Tunisian police confiscating his cart, in which he used to sell fruits and vegetables. Then, protests spread in the Republic of Tunisia's cities and regions, which was later overthrown by the Tunisian president's rule, Zine El Abidine Ben Ali (BBC, 2018). The spark of the Jasmine Revolution moved quickly to Jordan, which was represented by the wave of demonstrations and protest marches that began in various parts of the Kingdom after Friday prayers on January 14, 2011, in protest against the deteriorating economic conditions, high prices and widespread unemployment, which resulted in the dismissal of the government of Samir Al-Rifai and the assignment The Jordanian King, Marouf Bakhit, to form a new government to implement rapid political and economic reforms (Al-Jazeera, 2011). In Egypt, the revolution of January 25, 2011, which toppled Muhammad Hosni Mubarak, erupted on February 11, 2011. On the same day as Mubarak's fall, the popular revolution erupted in Yemen. On February 17, 2011, the Libyan revolution's spark broke out, through which the Libyan youth demanded political, economic and social reforms, and then the Syrian revolution on March 18, 2011, began.

Amid these events, the Palestine General Federation of Trade Unions was preparing for a major march that would start on May 1, 2011, in several Palestinian governorates to demand better wages for workers, fixing working hours, job stability, insurance, etc. social security, and approving the minimum wage. The Palestinian government tried to avoid turning this labor movement into a direct clash. Although this union has been based on its entire current structure on the Palestinian land since 1992 and has put pressure, in one way or another, on the Palestinian National Authority since its establishment in 1994, in order to achieve many unions' demands, it has not succeeded in achieving any of them before the emergence of this opportunity in the year 2011.

TRANSFORMATIONAL MOMENT: A LOCAL MARCH WITH GLOBAL SUPPORT

There is no doubt that the year 2011 was different, as its regional events provided the local political opportunity for the Palestinian General Federation of Trade Unions to implement its campaign's demands. In fact, this campaign was not related to the year 2011 only but had its implications in previous years, even though 2011 was illegitimate in terms of the tactics used to achieve the demands.

In fact, the Federation communicated with the relevant international institutions and convinced them of the need for practical intervention as a member of the International Federation



of Trade Unions. The peak of this campaign was the organization of the Great March in Ramallah on Labor Day on May 1, 2011, in which 10 thousand members of the Federation participated, in addition to senior union leaders from various countries of the world, led by the Secretary-General of the International Trade Union Confederation (ITUC) Sharan Burrow, and Secretary of International Relations at the Brazilian Confederation of Brazilian Trade Unions (CUT Brazil) João Antonio Felicio. In her speech to the workers, Pro emphasized that social protection and minimum wages are two basic requirements of the Palestinian working class. Palestinian workers are an essential part of the struggle of the world's workers to achieve social justice always demand. She came to Palestine to participate in the International Day of Workers. She said that more than 186 trade unions representing 360 million members stand with the Palestinian people's struggle for freedom and independence and to achieve their demands, and she said:

You are the one who raises the voices of hard-working workers in the Middle East, and you are the most crucial part of the workers' family in the world. Your large gathering today confirms that you are able to change alongside your counterparts in Tunisia, Egypt and the rest of the countries that are fighting revolutions for freedom and independence (Wafa, 2011).

As for Felicio, he stressed the support of the Brazilian people and their trade unions for the Palestinian people and their labor movement and affirmed in his speech that the union that represents him, which includes 22 million workers, supports the right of the Palestinian people and their workers to freedom, dignity, work and prosperity (Maan, 2011a).

On the same day, Dr. Salam Fayyad, the Palestinian Prime Minister at the time, met with Burrow and an accompanying delegation, which included the Secretary-General of the Palestine Trade Union, Shaher Saad, during which he confirmed that more efforts would be made to improve economic conditions, reduce poverty and unemployment, organize the labor market, provide a decent life for workers, and ensure their trade union rights and social security, despite all the obstacles that the occupation causes, which limits the ability of the Palestinian government to find radical solutions to it (Maan, 2011b).

² Political opportunity is defined as a type of resource related to the surrounding circumstances, institutional plans and historical precedents for social mobilization, which facilitate the evolvement of protest movements in some cases and their constraint in others. Accordingly, the political opportunity is a crucial external resource for the success of protest movements and their evolvement, as some of these movements may have a supportive environment that contributes to their success, and others, as in the oppressive totalitarian political regimes that suppress any form of demanding work, in which for trade union action is impossible in their environment, hence, which contributes to the failure of demanding efforts (Kitschelt, 1986, p. 58).

This march constituted a fundamental turning point. This international union support greatly impacted the government's response to the union's demands, as it adopted several decisions to alleviate the crisis³, including not increasing taxes on basic commodities. The Prime Minister formed a team that he personally chaired to discuss the Social Security Law. He affirmed several times later on the government's determination to move forward to implement the law mentioned above and to develop an integrated system for social security and protection capable of providing the required services and social care within the framework of achieving social justice in a way that secures a decent life for less fortunate families (Maan, 2012).

In the wake of this march, according to the Minister of Labor at that time, Mr. Ahmed Majdalani, the government stressed the need for the parties concerned to meet and discuss these issues. As a result, an agreement was concluded between the three working parties: the private sector, trade unions and the government provided that the minimum monthly wage in all areas of the National Authority and all sectors is 1,450 shekels, or approximately \$400 (Shaher Saad, exclusive interview, December 20, 2018). Cabinet Resolution No. (11) of 2012 regarding the adoption of the minimum wage in all Palestinian territories was issued on October 9, 2012, and Article (1) of it stipulates the following:

Adopting the minimum wage in all areas of the Palestinian National Authority as follows: 1. The minimum monthly wage in all areas of the Palestinian National Authority and all sectors shall be 1,450 shekels per month. 2. The minimum wage for day laborers, particularly those working on an irregular day, in addition to seasonal workers, is 65 shekels per day. 3. The minimum wage for one hour of work for the workers covered in Paragraph (2) above is 8.5 shekels per hour⁴.

CAMPAIGN PHASES AND TACTICS USED

This campaign went through several phases, namely:

- Awareness and mobilization: The campaign began to educate workers about their basic rights. In this phase, the union used several tools to achieve this goal, the most important of which was holding a series of workshops in all Palestinian governorates. Many workers and employees participated, and the union produced many educational posters. Its representatives participated in many radio and television programs. Concerning those in charge of the campaign, this phase was the basis upon which the other phases were built.
- Building alliances with the relevant international institutions: In the second phase, the Federation of Trade Unions communicated with the relevant international institutions to convince them to intervene. The International Labor Organization was at the head of these institutions. It sent research teams to study Palestinian workers' conditions and made recommendations that had a great impact in support of this campaign.
- Lobbying: At this phase, the union began organizing peaceful demonstrations and protests in front of the Council of Ministers. Over the three years preceding the Great March in Ramallah, the union used to carry out four-yearly protests in which Palestinian working women participated. The union included about 40,000 women (Shaher Saad, exclusive interview, December 2018 ,20).
- Advocacy: At this phase, working women played a pivotal role,

as the union includes almost 350 thousand male and female workers in the West Bank and Gaza Strip (Wafa, n.d), most of whom earn less than 400 shekels per month, equivalent to about 110\$. The union succeeded in setting an appointment with the Palestinian Prime Minister at the time, Salam Fayyad, to meet 100 working women to explain their point of view in Shaher Saad's presence, Secretary-General of Palestine Trade Unions (Wafa, 2012). This meeting had the effect of accelerating the pace of approval of the minimum wage at the end of 2012 (Shaher Saad, exclusive interview, December 2018 ,20).

CONCLUSION

It can be concluded from the preceding that the international support represented by the support of international trade unions and the International Labor Organization, particularly the presence of a number of them personally to participate in the Great March, in addition to the political opportunity and the government's fear that the effect of the Arab revolutions will spread to the workers' activities, in addition to the importance of the issue being fundamental and affecting a large category of society, all of which formed a distinct mixture that led to the success of this campaign.

In fact, the labor force constituted almost 45.5% of the West Bank population and 38.4% of the Gaza Strip population in 2011 (Statistics, 2016). The number of the union's members reached almost 350,000 workers (Wafa, nd). It seemed that the government wanted to persuade this important percentage of the Palestinian community that is directly affected by wage and social security issues, at a time when many Arab countries were experiencing a violent clash concerning demands and politics that led to the downfall of entire regimes.

Accordingly, it can be said that the timing of the Great March in 2011, which constituted a fundamental turning point with the participation of a group of trade union leaders in the world, contributed in one way or another to the success of this campaign, particularly concerning the issuance of cabinet resolution No. (11) in 2012, which requires the adoption and implementation of the minimum wage, which confirms that the political opportunity played the central role in this campaign, especially that the Union's activities calling for the endorsement of these rights continued for several years without reaching any results. As for the union's structure and its tactics, they did not differ except in terms of organizing the great march amid the political opportunity represented by the politically unstable regional circumstance.

Despite this, the Palestinian Statistics Center's statistics on the results of the Labor Force Survey for the year 2018 indicate that the private sector does not adhere to the implementation of the minimum wage. The figures show that 30% of workers in the private sector are still earning a monthly wage less than the minimum wage (1,450 shekels, or \$408), which does not meet the minimum requirements of life and the basic needs of the family and a decent living, and contradicts the cabinet decision mentioned above, and matters worse, especially that 50% of wage employees in the private sector work without a work contract (Statistics, 2019).

Hence, despite the promulgation of the law and the government's commitment to it concerning its employees and contract workers in its institutions, it needs activation and monitoring mechanisms in the private sector. Despite the issuance of Minister of Labor Mamoun Abu Shahla's Resolution No. (7) of 2017, which requires employers to apply the minimum wage starting from the first of March 2017, the executive authorities have not adopted the appropriate mechanisms to implement the decision, until the date of this study, which emptied it of its content.

³ During an interview with Mr. Shaher Saad, Secretary General of Palestinian Trade Unions, Vice President of the International Federation of Trade Unions, and a member of the Board of Directors of the International Labor Organization.

⁴ The US dollar is worth approximately 3.50 shekels.

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BREAKING THE MOLD PROJECT

In mid-2018, the "Civil Society Actors and Policymaking in the Arab World" program at IFI, with the support of Open Society Foundations, launched the second round of its extended research project "Arab Civil Society Actors and their Quest to Influence Policy-Making". This project mapped and analyzed the attempts of Arab civil society, in all its orientations, structures, and differences, to influence public policy across a variety of domains. This research produced 92 case studies outlining the role of civil society in impacting political, social, economic, gender, educational, health-related, and environmental policies in ten Arab countries: Lebanon, Syria, Palestine, Jordan, Egypt, Morocco, Tunisia, Yemen, and the Arab Gulf.

Over two dozen researchers and research groups from the above countries participated in this project, which was conducted over a year and a half. The results were reviewed by an advisory committee for methodology to ensure alignment with the project's goals, and were presented by the researchers in various themed sessions over the course of the two days.

THE CIVIL SOCIETY ACTORS AND POLICY-MAKING PROGRAM

at the Issam Fares Institute for Public Policy and International Affairs at AUB, examines the role that civil society actors play in shaping and making policy. Specifically, the program focuses on the following aspects: how civil society actors organize themselves into advocacy coalitions; how policy networks are formed to influence policy processes and outcomes; and how policy research institutes contribute their research into policy. The program also explores the media's expanding role, which some claim has catalyzed the Uprisings throughout the region.

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The Issam Fares Institute for Public Policy and International Affairs at the American University of Beirut (AUB Policy Institute) is an independent, research-based, policy-oriented institute. Inaugurated in 2006, the Institute aims to harness, develop, and initiate policy relevant research in the Arab region. We are committed to expanding and deepening policy-relevant knowledge production in and about the Arab region; and to creating a space for the interdisciplinary exchange of ideas among researchers, civil society and policy-makers.

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