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CIVIL SOCIETY IN PALESTINE: A PALESTINIAN PROFILE

by

Shadia Kanaan

**A Thesis
Submitted to the
Faculty of The Graduate College
in partial fulfillment of the
requirements for the
Degree of Master of Arts
Department of Political Science**

**Western Michigan University
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Shadia Kanaan

CIVIL SOCIETY IN PALESTINE: A PALESTINIAN PROFILE

Shadia Kanaan, M.A.

Western Michigan University, 1997

One definition of civil society dominated all theoretical and historical perspectives when it comes to the special case of civil society in Palestine. "Civil society is concerned with a society's total self re-producing ability through its inner strength in a manner that is distinct from the state" (Bishara 1995, 143). The hypothesis of this work is that civil society in Palestine existed and flourished in spite the absence of a national state and had played a fundamental role in the social and economic development of Palestinian society throughout its history. Civil society in Palestine poses an exception to the theory of civil society in general, in that it does not deal with its relationship with the state, but, rather, that it existed despite the absence of a state. More important is the fact that it had to deal with consecutive foreign authorities whose legislation and laws were meant to deter and arrest the development of civil society's performance on all levels. This unique nature is the focus of this paper: the fact that it survived and functioned as an alternative to the state in providing basic services to the population and laying the foundations for the arrival of a national state, or a quasi-state, in form of the autonomous rule under the Palestinian Authority (PA). The paper will go on to show the irony of the reversal that occurred with the arrival of the PA which either absorbed, contained, or canceled the institutional components of civil society. The imperatives of enforcing the peace process with Israel contradicted and collided with the requirements of democratic practices, thus shaking the foundations of civil society.

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CHAPTER I

INTRODUCTION AND THEORETICAL BACKGROUND

The purpose of this study is to examine the character of civil society in Palestine and to determine its role in society before and after the recent autonomy arrangement between the Palestine Liberation Organization (PLO) and the state of Israel. The underlying premise is to state the unique structure of that civil society in showing that it has always been drawn along political lines. It will inform about its development and status before the autonomous state and to inquire into its present condition. In such an effort, it is essential to take into consideration two factors: first is the context of the peace settlement between the PLO and Israel and how it determined the Palestinian Authority (PA) character and policies. The second is how the authoritarian regime under the PA affected the role of the civil society, jeopardizing all the civil liberties and the potential of a democratic rule for the Palestinians.

This study will be developed by first reviewing the literature used in establishing the hypothesis of the research. Chapter II is divided in three parts: the study will first outline the theoretical definition of civil society. Part Two will follow the historical development of the idea of civil society according to two perspectives: the Western—both classical and contemporary, and the Eastern Islamic perspective. In Part Three, the chapter will establish the strong relationship between civil society and democracy. Chapter III is composed of two parts: The first part will establish the roots of civil society in Palestine, which in the absence of a national state rest on the

national identity of the Palestinian people. The author will trace the development of civil society in Palestine in a historical manner through two themes: the social formations in society and the national movement as reflected through these formations. The historical segments start with the 19th century and Ottoman rule. This is followed by the British occupation and the imposition of Zionism, the 1948 war and the dissolution of the Palestinians with the creation of the state of Israel. The next sequence traces the Israeli occupation of the West Bank and Gaza in 1967 through three approaches: the conditions in West Bank and the Gaza Strip after 1967, followed by a section of the refugee population, ending with the evolution of the Palestinian national movement, the creation of the PLO, which culminated with the peace settlement with Israel in 1993. Part Two of Chapter III deals with the opposition and how it was centered in the Islamist movement, Hamas. It will explain the ideological base of the opposition as well as the circumstances leading to it in the advent of the *Intifada*. Chapter IV establishes the components of Palestinian civil society and their development before the arrival of the Palestinian Authority. Non Governmental Organizations, “NGOs,” voluntary cooperatives, and voluntary mass organizations are addressed focusing on areas of health, social works, education and human rights. The chapter will explain the process of institutionalization in which the NGOs were transformed from political patronage to more independent agents of society. The second component of civil society discussed is the labor movement, the third is the student movement, and the fourth is the women’s movement. Chapter V is divided into two parts: The first part is an introduction that frames the discussion on democracy in the Arab world in general and leads into the Palestinian case in particular. Part Two establishes the crisis of legitimacy that the PA suffers among the Palestinian people, inside and outside Palestine, and which is brought upon by the

structure of the peace arrangement with Israel. This crisis is evidenced in four areas: the legislative elections, governance, sovereignty, and the economy. Chapter VI is an assessment of the PA's authoritarian and undemocratic practices as reflected on civil society in the areas of: NGOs, labor and trade unions, student movement, women's movement, and human rights. Chapter VII is the conclusion reflecting on the future of the civil society and democracy in Palestine.

The major motive for writing the thesis on this topic originates from the author's desire to shed some light on the complex Palestinian situation, which is related to the instability of the whole region of the Middle East. It is an effort to develop a better understanding of how vital are the institutions of civil society to the process of real peace and democracy for the Palestinian people.

Review of the Literature on Civil Society

This project is a case study that uses normative as well as qualitative historical method to examine civil society in Palestine. The library resources used to establish and document the hypothesis of this study are supplemented by the author's field research and knowledge of the region and its inhabitants. As an American Palestinian who was born and raised in Nablus, I have retained strong ties to the region and its culture. Frequent visits and personal involvement in civil society institutions help frame the author's understanding of the serious depth of its role. Other human sources in this study were informal interviews and encounters with leaders in society due to family relations or family involvement. The author's brother was a major source of keeping the information and interest flowing, him being a social leader and a politician. Other personalities interviewed in informal settings were Samar Hawash, a prominent women's rights activist; Raja Shihadeh, a lawyer previously affiliated

with Al-Haq Human Rights group; Rana Bishara of the Muwaten NGOs networks; and Shaher Sa'd, the spokesman for the trade and labor unions. It is important to point out that these personal affiliations did not in any way alter the character or objectivity of the study, nor did they limit the scope of its inquiry.

In discussing civil society in Palestine it is important to give a summary of the background of the concept of civil society in general. This by no means supplies an all-inclusive understanding of the concept. It only leads into the discussion pertaining to the case study of Palestine.

The topic of civil society is a diversified and all encompassing area that touches on all society-state and individual-state relations that goes as far back as when these relations began. The theoretical premise of civil society touches at the heart of political philosophy and the nature and origins of authority from ancient times. It extends to the dichotomies of the public/private and the social/individual questions. But there are two basic principles of civil society: first is the voluntary institutional practices defining social relations and protecting individual and social freedoms by creating a sphere outside the authority of the state. The second is the normative component and spirit that sets the ethical order behind these practices. These ideals are delineated by Saad Eddin Ibrahim and by Augustus Richard Norton in a study on *Civil Society in the Middle East*, 1995. Norton defines civil society by stating:

Civil society is more than an ad-mixture of various forms of association, it also refers to a quality, civility, without which the milieu consists of feuding factions. Civility implies tolerance, the willingness of individuals to accept different political views and social attitudes—to accept the profoundly important idea that there is no single right answer. It is a cast of mind, a willingness to live and let live. (Norton 1995, 11)

Ibrahim adds, “In its institutional form, civil society is composed of non-state actors or non-governmental organizations (NGOs)—e.g., political parties, trade unions, professional organizations, community development associations, and other interest groups” (Ibrahim 1995, 28). These definitions are further established by Seligman: “The validity of the idea of civil society rests on both: as a normative ideal, and more concretely, as a set of institutional practices defining social relations in the contemporary world” (Seligman 1992, 58, 67). Azmi Bishara adds that civil society “extends over the whole space between the family and the state” (Bishara 1995, 142).

Civil society is perceived as an ideal for enhancing democratic participation in societies. Diamond, Linz, and Lipset (1995) relate civil society to democracy as they share the normative and ethical base of tolerance, participation, pluralism, accommodation, and conflict resolution. “There are many confining conditions that impede democratic consolidation, among which is a weak civil society” (Diamond, Linz, and Lipset 1995, 193). This condition is related as one of the reasons behind the lack of democracy in the Arab countries in general where “it has been contended that democracy is lagging due to the absence or weakness of civil society” (Norton 1995, 30).

Ndegwa (1996) in *The Two Faces of Civil Society* asserts that the relationship between democracy and civil society begins with the grass roots training in the communities, which mobilizes the masses into political participation. This was also the foundation of the “village or township” which was first established by DeToqueville according to Oakerson in *Rethinking Institutional Analysis and Development*, 1988. Although the literature states that the origins of civil society are found in the Western tradition, Islamic thought had an enormous contribution in this area.

The concept of civil society has its roots in Islamic culture dating back to the early tenth century. The society-state relationship from the Islamic perspective relates to the Palestinian nation where the Islamic tradition is deeply rooted. Three Islamic philosophers elaborated on this relation and on the role of religion in social relations. Ibn Khaldun (1332–1406) was the first sociologist and one who pinpointed a cultural dimension that is evidenced historically in the course of Palestinian development. The concept of “asabia,” which defines communal solidarity, was the basis for civil society in Palestine and still plays a role in its mechanisms (Issawi 1950). Two other Muslim philosophers contributed immensely to the discourse on society/state relations. Their contribution is one central to the state/religion separation and to the beginning of secular thought in Islamic states. Ibn-Sina, Avicenna (980–1037), and Ibn-Rushd, Averros (1126–1198), were the first to separate religion from logic and reason and therefore had an effect on the age of “enlightenment” in Europe. They constitute the basis for debate in the Muslim world on dogmatic thought embedded in Islamic fundamentalism opposite the modern secular ideology (Afnan 1958; Wahba and Abousenna 1996).

Most of the literature asserts an organic relation between civil society and the state as is strongly related by John Keane:

Democratization is neither the enemy nor the unconditional friend of state power. It requires the state to govern civil society neither too much, nor too little, while a more democratic order cannot be built through state power, it cannot be built without state power. (Keane 1988, 13)

Nevertheless, this study is based on the premise that civil society in Palestine developed and existed in the absence of such a state. It functioned in a defensive context as a parallel to the authorities of occupation lacking completely the role a state performs in relation to civil society, “playing the essential role of referee, rule

maker and regulator” (Norton 1995, 5) which a state normally performs. As Butterfield and Weigle theorized, one of the stages in the development of civil society is a “defensive stage concerned with private individuals and independent groups actively or passively defending their autonomy (vis-à-vis the party-state)” (Butterfield and Weigle 1992, 1). Civil society in Palestine evolved with that defensive nature. It was molded on the basis of a nationalistic ideology striving to preserve its identity in the face of foreign rule.

In painting a profile of civil society in Palestine it became imperative to answer whether civil society can precede the state or can survive in the absence of a national state. The answer is crystallized in establishing the Palestinians as a group of people that have all the necessary elements that constitute a nation.

Miroslav Hroch (1996) and Prasenjit Duara (1996) see nationality as a group of people sharing basic elements among which is a shared historical experience that gives them a relational identity as well a common vision of the future. Duara (1996) establishes the common struggle against colonialism as a strong relational identity that ties a nation together. This relation is framed best in its historical context by Baruch Kimmerling and Joel S. Migdal in *Palestinians, The Making of a People*: “Palestinian national identity, like those of other modern nations, has been created—invented and elaborated—over the course of the last two centuries” (Kimmerling and Migdal 1994, xvii). This development came as a result of three major factors: the rise of the Zionist Movement in the late 19th century, consecutive foreign occupation beginning with the Ottoman Empire, and the British rule which ended with the creation of the state of Israel. Kimmerling and Migdal (1994) and Mark Tessler (1994) develop the origins of Palestinian identity through these periods based on the social formations and their effect on the rise of a nationalist movement

to define the identity of the Palestinian people. Tessler's study in *A History of the Israeli-Palestinian Conflict* was an elaborate creation of a parallel between the two people in their quest for national identity and statehood. The way the interaction evolved between the two groups claiming the same territory is informative in many ways. Tessler and Kimmerling and Migdal trace the evolution of the Palestinian civil society, which was born from the womb of the national struggle for independence. Popular participation and institution building were at the beginning part of an attempt at surviving the poverty and backwardness and was engulfed in the family and tribal structures. As urbanization expanded so did elements of organizational formations which became more politicized in the face of the expanding Zionist claim to Palestine.

The foundation of civil society began to find its roots in the labor unions, the women's and the students' movements. Mark Tessler (1994) and Glenn Robinson (1997) give a thorough account of the development of civil society in the more recent history. Most civil society formations began as volunteer charity work. After 1967 and the Israeli occupation of the West Bank and Gaza, that effort was intensified by other entities from outside the territories; namely Jordan, who wanted to keep its viability in regaining its sovereignty. After 1970, the PLO started heavy institution building to keep up with Jordan and with the Palestinian Leftist parties. Other political and social groups contributed to the building of civil society, most importantly the Islamic Brotherhood.

The 1980s ended with the outbreak of the *Intifada* which erupted at the grass-roots level and mobilized the whole society in its quest for the end of the Israeli occupation by bringing the Palestinian issue on the international diplomatic agenda, which it did. In *Building a Palestinian State, the Incomplete Revolution*, Glenn Robinson (1997) informs on the social formations that contributed to the *Intifada*. It

gives a complete account of the development of the *Intifada*, of the mass mobilization and the cooperatives and organizations that exploded during the five years it lasted. The end came with the PLO striking a peace with Israel that excluded all other factions or elements of the Palestinian society. It was a peace for the survival of Fatah as a political party, and not peace for the Palestinian people. Robinson calls it “the incomplete revolution,” because its gains were reaped by an outside polity, the PLO, who did not credit or reward the people on the inside that were responsible for its success. Mohamed Heikal gives a thorough historical account of the Arab Israeli conflict in a major study titled *Secret Channels* (1996). Heikal’s study is approached through the different diplomatic channels pursued in the effort to reach a peaceful settlement. Heikal explains how the hostility among the Palestinians in the aftermath of Oslo became as intense towards their leadership as it is towards the Israelis.

Major studies document the vigorous institution building in the West Bank especially, because of the rivalry between the PLO, Hamas and Jordan. The NGOs remained a reflection and a front of the different power groups in what came to be known as “the war of the institutions” until the early 1990s when they gained a considerable degree of autonomy. They gradually gained an autonomous presence that made them focus their services on a more specialized and less politicized manner. The Islamic groups were especially organized and institutionalized and they had a head start on all other groups in the area of social services, such as education and health. Ze’ev Schiff and Ehud Ya’ari (1989) documented the growth of the Islamic movement and the base it had built for itself as a substitute to the PLO in leading the Palestinians. Their book, *Intifada, The Palestinian Uprising, Israel’s Third Front*, details how the Islamists were transformed during the *Intifada* from a social power to a political and military presence that rivaled the PLO in fighting Israeli occupation.

They were the leaders of the opposing forces to the peace settlement with Israel and are still the agitators of that peace. The PA was divided between applying the terms of the peace treaty or maintaining the national consensus, which was essential for national unity. "The crisis of legitimacy of Palestinian political system stems from the loss of Palestinian consensus regarding national identity, territorial boundaries, and the goals and means of struggle" (Shikaki, November 1996, 20). The Palestinian Authority was faced with a choice of suspending either the peace, or democracy represented in the civil society and its foundations. The choice was in favor of peace. Civil society, and ultimately democracy and civil rights are the earliest casualties of the PA's reign of peace.

Most literature during this period came from research and study centers that emerged in impressive numbers as part of the proliferation of civil society institutions in general. The growth of an intelligentsia class and educated Palestinians is credited with many studies that kept interest in the Palestinian issue alive. It attracted international interest as well, and the literature on the more recent developments in Palestine is abundant. These centers include *The Center For Policy Analysis on Palestine*, CPAP, a monthly publication issued in Washington D.C. by the Jerusalem Fund. The Center for Palestine Research and Studies, CPRS, is located in Nablus-West Bank and publishes *Al-Siyasa Al-Filisteeniah* (Palestinian Politics). In addition, it established a Parliamentary Research Unit, a Palestinian Opinion Poll Unit, a Strategic Analysis Unit, an Economic Unit, a Political Analysis Unit, a Survey Research Unit, as well as holding monthly lectures and seminars. The *Journal of Palestine Studies*, JPS, is a quarterly publication of the University of California Press for the Institute for Palestine Studies. Another publication is the *Middle East Report*, MERIP, which is a quarterly published in Washington D.C. Major studies

were conducted by the different United Nations organizations, which constitute a major source for this study.

In 1993, the World Bank issued a series of studies in *Developing the Occupied Territories: An Investment in Peace*. It included studies such as *Overview, The Economy, Private Sector Development, Agriculture, Infrastructure, Human Resources and Social Policy*. Other studies were conducted by the United Nations Development Program (UNDP) and the International Monetary Fund (IMF).

CHAPTER II

THE THEORY OF CIVIL SOCIETY

Definition of Civil Society

Any definition of civil society implies two fundamental components: One is the voluntary practice in society that defines a sphere between the individual and the state. The other is the normative aspect of society that transcends individual utility and implies values and ethical constraints for the good of the whole:

Civil society is a multifaceted concept, comprising the idea of autonomous associations, the concept of civility, and the role of government—as rule-setter and facilitator. Autonomous associations provide a buffer between the individual and the power of the state. Civility implies tolerance: respect for different viewpoints and social attitudes, accepting the idea that there is no single right answer, and sharing a sense of citizenship. The government role is also essential as rule-setter, referee, and protector of civil society, since it establishes criteria for citizenship and sets the legal rules under which associations operate. (Norton 1995, 189)

The concept is also repeated by Seligman (1992): “The validity of the idea of civil society rests on both: as a normative ideal, and more concretely, as a set of institutional practices defining social relations in the contemporary world” (58). Even though the idea of civil society is complicated and confusing with all its historical perspectives, what makes the idea attractive to social thinkers is that “it embodies an ethical ideal of the social order, one that harmonizes the conflicting demands of individual interests and social good” (Seligman 1992, x). This ideal is also the spirit of tolerance and civility that renders a society, as diversified as it may be, able to function with a sense of community, compromise, and cooperation.

Saad Eddin Ibrahim defines the concept of civil society:

All attempts at such definition revolve around maximizing organized collective participation in the public space between individuals and the state. In its institutional form, civil society is composed of non-state actors or non-governmental organizations (NGOs)—e.g., political parties, trade unions, professional organizations, community development associations, and other interest groups. Normatively, civil society implies values and behavioral codes of tolerating, if not accepting, the different “others” and a tacit or explicit commitment to the peaceful management of differences among individuals and collectivities sharing the same public space. (Ibrahim 1995, 28)

By definition, the role of the state in the development of civil society is deemed necessary and almost organic; “civil society is about associational life, civility and citizenship, as well as political reform by an open and accountable government, vs. suppression of civil society” (Norton 1996, preface to Vol. 2). Norton also states that political life is shaped by the dialectical relationship between civil society and the state, for in the absence of a state, civil society collapses into incivility. He adds:

The existence of civil society implies a shared sense of identity, by means of, at least, tacit agreement over the rough boundaries of the political unit. In a word, citizenship, with rights and responsibilities of association, is a part and parcel of the concept. Citizenship underpins civil society. (Norton 1995, 11)

Norton does not see a civil society existing outside the state:

Thus the individual is granted rights by the state, but in return, acquires duties to the state. If the state loses the loyalty of the citizens, citizenship is an early casualty. As legitimacy crumbles, civil society threatens to fragment as well. It is meaningless to speak of civil society in the absence of the state. (Norton 1995, 11)

This connection is further reiterated by Azmi Bishara who states:

Civil society extends over the whole space between the family and the state, including the market and all the institutions that occupy the space between the individual and the state; its role is two-fold: it separates between the individual and the state, it also mediates between them, creating a public sphere separate from that of the state. (Bishara 1995, 142)

Various social thinkers have contributed to the discussion on civil society. Common to most is the theme of associational groups. Within these segments, the mediation of

ideas occurs due to mutual respect among all forms of social expression, organization and participation that exist outside of the state. In addition, civil society resembles a sphere of society between the state and the individual. The state is stressed even to the extent that civil society is dependent upon it. Though all theories do not require the existence of the state, a discussion of its necessity is in order.

The Evolution of the Theory of Civil Society

The development of the idea of civil society centers on the normative aspect of civil society and the source of the ethical order that places constraints on individual interests for the good of the whole as seen through different perspectives in political and philosophical thought. All of the different theories are centered on the origin of the ethical order, whether it rested in God, the king, society, the benevolence inside the realm of the individual, or in the state. The theories are divided into a classical Western theory and a contemporary Western theory and the two are abundantly researched in the Western literature on civil society. However, an Islamic perspective on civil society preceded Western thought and will be discussed additionally.

The Classical Western Theory

This theory of civil society originated from a progression of theories beginning with the Natural Law Theory before the seventeenth century. That was followed by the Scottish Enlightenment late in the seventeenth and into the eighteenth centuries. Azmi Bishara (1996) sums up the Western classical theory of civil society stating that civil society entered the domain of political philosophy as an expression of the relationship between society and politics. This took the shape of natural rights embodied in God or king followed by a social contract. As soon as the idea of the

state being built through such a social contract emerged, a theoretical stage developed which considered that society precedes the state. First is capable of organizing itself outside of the state, second is the source of the state's legitimacy, its watchful eye. This stage developed into one that needed the state to keep order and enforce the law with objectivity that individuals are incapable of. The state returns to play the major role after it absorbs society in its folds, where both transform into a part of the whole (Bishara 1996, 38–40). The classical Western theory ends with Marx who saw a future stage with the state disappearing through the unification of civil and political society (Seligman 1992).

The Contemporary Western Theory

Augustus Richard Norton (1995) sums the contemporary Western views on civil society and its relation to the state into two intellectual and political perspectives: liberal pluralism and Marxism. The liberal model is based on representative democracy as the ideal form of government and on capitalism and the market system as the desired form of economic organization. Within this framework, civil society is understood to be independent of the state, but not necessarily opposed to it. The state is seen as neutral, responding to the common good and acting as referee between the competitive and conflicting demands of different groups. The Marxist model gives primacy to civil society over the state and sees civil society as a weapon against capitalism. In this model, the state's role is to impose ideological and cultural hegemony as a way of creating consensus and acceptance among the dominated. Civil society, by contrast, constitutes the sphere of the exploited, where the struggle against state domination must be waged and includes the family, political

formations and labor unions. In this sense, civil society plays an opposition and mobilization role (Norton 1995).

The topic of civil society enjoyed a lot of attention until the second half of the 19th century “when it fell (or was pushed) into obscurity and disappeared almost without a trace” (Keane 1988, 1). The subject was absent for a long time, with exceptions like Emile Durkheim who expressed the need for a safety net of social institutions to protect the individual against the collapse of the social structures in the modernization period (Bishara 1996, 41, from Durkheim 1958). With this, a reemphasis is placed on the associational aspect of civil society which was absent from the debate earlier but is the center of the modern understanding of civil society. Civil society reemerged in the 1980s with a strong foundation built on democratic ideals.

The renewed popularity of the distinction between civil society and the state during the past several decades and the revival of civil society topic in the West is related to three factors according to Keane (1988): The restructuring of capital economies; the controversies over the welfare state; and the growth of social movements as labor, student, women, human rights, peace and environmental movements. Most important among those factors is the failure of the Communist totalitarian regimes in Europe to reform and modernize these systems from above and the growth of independent citizen’s initiatives and social movements forming alliances based on “solidarity” and campaigns aimed at the free development of civil society against the state apparatus as a whole (Keane 1988). Poland was an example of the idea that whenever civil society grows the state loses its grip on society. The extraordinary example of Poland consisted of workers struggling to establish a civil society along side a totalitarian state and sought neither to form a political party nor

to capture state power (Keane 1988). To these factors, Bishara (1996) adds the wars of liberation against colonial powers in the Third World which resulted in reducing the gap between society and the state's foreign policies, as well as the cultural revolution of the sixties which summed all the other factors and emphasized the rights of the citizens opposite the state. Butterfield and Weigle (1992) theorized that there are four stages in the ongoing development of civil society: defensive, emergent, mobilizational, and institutional. The defensive stage is concerned with private individuals and independent groups actively or passively defending their autonomy (vis-à-vis the party-state); the emergent stage implies concessions of a reformist government/party towards the social institutions; the mobilizational stage implies that these institutions defy and offer an alternative to the government/party; while the institutional stage goes as far as legislating and creating an autonomous sphere for itself (Butterfield and Weigle 1992, 1).

Azmi Bishara (1996) defines a set of historical conditions to define the modern Western concept of civil society. They fall under six distinct concepts: (1) the emphasis on the separation between the state and society, or between the state institutions and the societal institutions; (2) awareness of the difference between the state and the mechanisms of the market; (3) differentiating the individual as a citizen, as a separate entity with rights regardless of his or her affiliations; (4) emphasis on differentiating between the social institutions, its goals and functions, from those of the economic forces; (5) stressing the difference between the social voluntary formations and institutions versus those that people were born in; (6) stressing the difference between representative democracy in the Liberal countries and the direct (face-to-face) democracy, which encourages active individual participation in decision making in the voluntary organizations and the modern institutions.

Bishara (1996) states that a minimum of two of those conditions justifies the use of the term “civil society” in contrast with other concepts, such as civility or capitalism or liberalism.

The Islamic Perspective

Although the literature states that the concept of civil society is Western in origin, the fact is that the topic was first discussed and elaborated upon by Ibn Khaldun in his Prolegomena, “Muqaddimat Ibn Khaldun,” which was written as an introduction to his “Universal History.” Ibn Khaldun (1332–1406) was an Arab historian and perhaps the first sociologist who was the first to cast sociology as a science separate from the other Human Sciences. He defines sociology as “the study of human society in its different forms, the nature and characteristics of each of these forms, and the laws governing its development” (Issawi 1950, 7). In his extensive elaboration on the different phases of human society, Ibn Khaldun touches the core of civil society. “The core of Ibn Khaldun’s general and political Sociology is his concept of ‘asabia,’ or Social Solidarity” (Issawi 1950, 10). He traces the origin of this solidarity to blood ties, but points out that “blood ties mean nothing if not enforced by proximity and a common life, and that living together and the mixing with slaves and allies may generate as powerful a solidarity as kinship, or because of the feeling of indignation which arises when the rights of a neighbor, or a kinsman, or a friend, are violated” (Issawi 1950, 105). Kinship to Ibn Khaldun is emotional as well as natural. Ibn Khaldun believed that only the need for authority gives rise to the state. He states that sovereignty rests with the state whose role is the maintenance of law and order and to provide security for society from internal as well as external threats. Authority to Ibn Khaldun “can exist without Divine Law, merely in virtue of

the authority imposed by one man or of the Social Solidarity which compels the others to follow and obey him” (Issawi 1950, 102).

Ibn Khaldun relates to civil society, although indirectly in noting that: “Learning flourishes where there is a large population and an advanced civilization. . . . The effects are enforced by acts of piety and philanthropy, building of mosques, schools, shrines and almshouses and to endow them with Waqf lands (pious endowments)” (Issawi 1950, 144). He adds that “even when the great cities of learning have been destroyed by invaders, learning moved to other centers, owing to the continuous existence of prosperous societies” (Issawi 1950, p. 145). Other Muslim philosophers dealt with the question of the ethical order and tried to find a synthesis between religion and reason.

Islamic philosophy was an interaction between religious thought and the classical Greek philosophy—primarily Aristotle and Plato. Among the few names which dominate the discussion between the relationship of religion to reason, or intellect are Ibn-Sina, a Persian whose name by way of Hebrew became Europeanized into “Avicenna” and Ibn-Rushd, named in the West as Averros (Afnan 1958).

Avicenna (980–1037) was a physician, philosopher, astronomer and poet whose work in medicine was used as a medical text for over 600 years (World Book Encyclopedia 1980). His main contribution in philosophy lies in the synthesis he tried to create between religion and logic, “to harmonize reason with revelation,” an issue that dominated Islamic religious thought throughout the ages (Afnan 1958).

“Essentially a metaphysician, but one who could make use of logic, but primarily an Aristotelian who took a great deal from Plato and Neo-Platonism, he expanded on the social system” (Afnan 1950, 290). The questions that he provoked were even more important than the solutions that he offered; most important of which are the

“attributes of God,” the role of the Prophet, resurrection, the concept of death, and good and evil” (Afnan 1958, 180–183). Avicenna refused to submit to the tradition of unquestioned dogma and never hesitated to attack the Islamic and Christian theologians when he did not agree with them, but he realized the limitations of the mind to explain everything (Afnan 1958, 168). Another Arab philosopher influenced Western thought as well.

Ibn-Rushd (1126–1198) was an Arab philosopher from Andalusia who later elaborated on the relationship between religion and reason and created a heated debate in the West and actually started a philosophical school of thought that was named after him. Ibn Rushd (named in the West as Averros, and his followers, the Averroists), dominated the discourse in Europe in the 17th and 18th centuries among theologians and philosophers. Ibn-Rushd’s interpretations of Aristotle earned him in the West the title of the “commentator” (Afnan 1958, p. 21). Through his commentary on Aristotle, he developed a philosophy that is credited with bringing about the “enlightenment” movement in Europe in the 17th and 18th centuries (Afnan 1958, 21). His followers, the Averroists, developed a range of philosophies, but they shared a common body of inquiry (Afnan 1958). Averros was considered a heretic by the authorities especially when he denied personal immortality (World Book Encyclopedia 1980). During an international conference of the Afro-Asian Philosophy Association, December 5–8, 1994 in Cairo, the theme was “Ibn-Rushd and the Enlightenment” in order to commemorate the eight hundredth anniversary of his death. Averros’s philosophy centers on his articulation on the difference between religion and reason. Although the Averroists claimed the existence of two contradictory truths of both; the “double truth,” and the supremacy of reason to religion as the only path of reaching the truth, Averros himself articulated them as

being two approaches or interpretations of the truth, and while religion or faith appeals to the ordinary masses, reason was sought after by the philosophers. Averros claimed the supremacy of the philosophers' approach to the truth but that the diversity must be respected in any attempt at grasping their relationship. This synthesis between religion and reason is accredited to Averros as the basic foundation for reason as a tenet of modernity, something the Islamic world has only recently adopted as its argument. "It is the balanced yet determined support of the integrity and independence of reason itself in the Averroism, a position which was to resonate through the creation and evolution of modern Western philosophy" (Afnan 1950, 65). "Averroism proclaimed the overwhelming importance of reason, and in this way sets the scene for the identification of modernity with secularity" (Afnan 1950, 66).

The relevance of Averros's philosophy to civil society is implied in different ways. Most importantly it lies "not only in the necessity of organizing the state according to the principles of philosophy, or reason, but also according to the moral law, to what would be later defined as categorical imperatives" (Wahba and Abousenna 1996, 9, from an introduction by Boutros Boutros-Ghali). It is clearly defined in the freedom of the individual to use his logic away from the scriptures of religion and of authority in general. Aristotelian influence on the Islamic world through Ibn-Rushd "stressed the importance of the mixed way of life, one of theoretical thinking and one of practical thinking. The criteria governing the thinking of one need not to be replicated in thinking of the other" (Wahba and Abousenna 1996, 64). Ibn-Rushd following Aristotle emphasized that "a sine qua non (an essential element or condition) to intellectual perfection besides meditation is the satisfactory expression of our social needs and obligations" (Wahba and Abousenna 1996, 64).

The Islamic vision of the ethical order is compatible with the natural law or natural moral reason theory. The Koran regards that humans have an innate capacity for moral goodness that transcends the revelations. Islam emerged in the midst of a serious socioeconomic imbalance between the rich and the poor and at a time of tension between the extreme forms of self-centered individualism (which rejected responsibility of others in society) and tribal bigotry (which failed to address individual human dignity beyond the tribal bond). Consequently, Islam became synonymous with a struggle to establish a faith and an ethical order that embodies divine justice and mercy and to create a community based in religious affiliation. Islam did not concede the separation of human and spiritual activities and insisted on the unity of civil and moral authority under a divinely enacted legal system—the Shari’a. Therefore Muslims believe they have a moral responsibility to set up divine scales of justice on earth that will lead to the creation of an ideal sphere of moral and spiritual existence for humanity. According to Islam, the cause of conflict in human beings is the incomplete submission to the divine will. Therefore religion and public order are closely connected in Islam (Johnston 1994, 276).

In a televised address of the Prince of Wales on October 27, 1993 in Oxford University for Islamic Studies, Prince Charles traced the contribution of Islam to Western civilization:

Islam can teach us today a way of understanding and living in the world which Christianity itself is poorer for having lost. At the heart of Islam is its preservation of an integral view of the universe. Islam refuses to separate man and nature, religion and science, mind and matter. It has preserved a metaphysical and unified view of us and the world around us. The West gradually lost this integrated vision of the world with Copernicus and Descartes and the coming of the scientific revolution. A comprehensive philosophy of nature is no longer part of our everyday beliefs. (Braibanti 1995, 38)

This description of Islamic thought is the basis for most of the renewed interest in Islam, which is witnessed in the Muslim countries in the last two decades.

The quest for community and fraternal bonding is stressed in Islamic theory in the concept of “Ummah,” nation, which emphasizes putting the community good above the individual and personal desire and directing the community towards virtue and away from evil. Since the death of Prophet Muhammad, this is more an ideal and a fantasy than a reality although it still poses a rhetorical expression in contemporary Islam (Braibanti 1995).

The Relationship Between Civil Society and Democracy

The relationship between civil society and democracy is based on a mutual culture and shared ethics. Both ideals are grounded in the normative vision of society, thus promoting a culture of tolerance, rationality and pluralism. “Vibrant civil societies have been central to the functioning of democracies because they tend to provide a buffer between the citizen and the state” (Muslih citing Walzer, 1993, 258). The democratic function of civil society has best been summarized by Larry Diamond (1996). He states that civil society provides the basis for limiting and controlling the hegemony of the state through promoting democratic political institutions. Also, a vibrant civil society supplements the role of political parties in promoting political participation. It teaches the ethics of tolerance, moderation, compromise and diversity. Civil society generates a wide range of interests and manages to reconcile those conflicting interests as well. It helps in monitoring of the elections in a nonpartisan manner and thus promotes popular confidence and participation. It is instrumental in creating an alternative source of news, thereby ending the state monopoly and better informing the public. By enhancing government accountability,

responsiveness, effectiveness and therefore legitimacy, civil society promotes better citizenship and wider participation (Diamond 1996). These principles, which Diamond reiterated, are shared in the literature by many political scientists.

Saad Eddin Ibrahim elaborates on the ethics of conflict management: “Central to the evaluation of any civil society is conflict management through accepted participatory politics and democratic consensus, not governance imposed by an autonomous state and an autocratic elite or governance imposed by international events or dictat” (Ibrahim 1995, 39). Norton elaborates on elections:

An evaluation of civil society almost automatically leads to an evaluation of democratization and liberalization processes in that society. The fact that people should share in the decisions that affect their lives, that government should respond to citizens, needs, ties democratic values to civil society. (Norton 1995, 6)

This translates into political participation through elections. Here Norton states:

The symbol of democracy is the uncontested free elections and the secret ballot since the right to cast a meaningful ballot free of coercion is a metaphor for a participant political system. But democracy does not reside in elections. If democracy has a home, it is in civil society, where a melange of associations, clubs, guilds, syndicates, federations, unions, parties and groups come together to provide a buffer between state and citizen. . . . Although the concept of civil society is resistant to analytical precision, the functioning of civil society is literally and plainly at the heart of participant political systems. (Norton 1995, 7)

DeToqueville ends the separation between the democratic state itself and civil society: the democratic state coexists and forms a balance with the civil society that limits and completes it at the same time; it is not an alternative to democracy, but a safety net against its tyranny (Bishara 1996). The relationship between civil society and democracy is established further by DeToqueville through his elaboration on the “village or township” and his characterization of primary social units as the primary schools of democracy (Oakerson 1988). Oakerson states that primary local units develop in society near the base of the social infrastructure, one step removed from

family relationships. These relations are based on reciprocity and natural association and constitute the core of collective action in society that expands to a wider range of collective activities and extended beyond the immediate community. "These units are essential for political development because of the parallel learning process that accompanies the function of the primary local units and its diffusion as new opportunities or problems arise" (Oakerson 1988, 142–148).

In *The Two Faces of Civil Society*, Stephen N. Ndegwa (1996) states that the crucial contribution of civil society to democratization is the grass-roots training in local communities which encourages participation in political action. "Underscoring the centrality of civil society institutions in recent transitions to democracy is the political mobilization they have engendered and their continued political engagement in liberalized politics, for example through civic education, election and human rights monitoring" (Ndegwa 1996, citing Micou and Lindsnaes 1993, 3). The new principles of responsibility, transparency and accountability are fundamental requirements of democratic rule and are referred to as "good governance" (Ndegwa 1996, 15). Civil society institutions apply these principles in their internal mechanisms and thus promote democracy by example as well as by demanding that the state apparatus apply them. These principles enhance protection against excesses of power and authority and keep governments responsible. Ndegwa adds that in order for components of civil society, such as NGOs and other institutions, to advance democratization (for example through opposition to state control of civic activities), several conditions must obtain: organization, resources, alliances, and political opportunity; or as he explains, mobilization. He defines political opportunity as "the success of civil society in mobilizing and forcing political concessions" (Ndegwa 1996, 7). What sets the civil society apart from interest or lobby groups is the scope

of vision behind its organization which has the general good in mind. Ndegwa points to the differences between civil society and social revolution. He states:

There is nothing inherent about civil society organizations that makes them opponents of authoritarianism and proponents of democratization. The impetus for civil society's involvement in the democratization process can be located in two externalities: a wider social movement and political opportunity. (Ndegwa 1996, quoting Charles Tilly 1978, 6)

Ndegwa adds that civil society constituents can contribute to democracy only if they embrace and express that social movement. Moreover, he pins the difference between the core values of social movement and civil society, in the fact that:

A social movement's core values are shared by even radically different actors while civil society, by definition, implies diverse, narrow interests not necessarily joined together but sharing the "space" outside the state. The only ideology they share is the pluralism that allows different groups to exist, advocate and pursue their goals. (Ndegwa 1996, 6)

A strong civil society can promote democracy, while a weak one leaves a lot of space for dictatorial or totalitarian measures. From the experience of the Eastern and Central European countries under the totalitarian socialist regimes, John Keane (1988) states that these regimes are stable only if civil society is suppressed and forced underground. "Whenever civil society becomes more confident, however, the state loses its grip. Civil society tends to swell from below, feeding upon whatever it can gain from the state" (Keane 1988, 5).

There are different levels of democratic achievements, what has been referred to as a "minimalist versus a maximalist conceptualization of democratization" (Lee 1996, 6). The minimalist conception is appropriate for evaluating reform in Third World countries where the focus is on political reform, or the institutionalization of competition through elections. By contrast, the maximalist conception is more concerned with formal as well as substantive democracy and centers attention more on economic and social democracy than political democracy. This stage is referred to

as democratic consolidation and is a stage that follows political democratization. It focuses on the consolidation of new, fragile, democratic institutions and norms which enable the people “to internalize, habituate and routinize the democratic procedures and norms in political, social, economic, cultural, and legal arena” (Lee 1996, 6, from Im 1996, 4). In other words, it is the stage when political democratization develops into socio-economic democratization thus assuring economic equality and social justice. When the two are harmonious, democratization in a country is complete. A weak civil society is confining to democratic consolidation. It is conceivable that in fragile democracies in the early stages of transition to democracy, as in the case of the Third World, consolidation of democracy is difficult at the beginning because of the large economic and social gaps in the society.

CHAPTER III

HISTORICAL OVERVIEW OF PALESTINE

In the absence of a national state, the roots of Palestinian civil society are traced through the national identity of the Palestinian people. This chapter will establish that identity as evidenced historically leading to the establishment of the quasi-state in Palestine under the Palestinian Authority, “PA.”

The Roots of Palestinian Civil Society

The question of whether civil society can survive in the absence of a nation-state imposes itself on this paper because of the linkage between the two by definition and by practice. Since Palestine was never a nation-state and yet enjoyed a thriving and expanded civil society, the answer to that question that resides within the premise of this study must be “yes.” Civil society is no substitute for governments but it can survive without it. The real issue in this case becomes whether the Palestinians constitute a national group of people or not, and the evidence supports that they do. National identity can precede the state, or even exist without it. The Palestinians have all the necessary elements that constitute a nation. They have been, at least for the last two centuries, a group of people that share the same geographic location, culture, language, history, common experiences and common goals.

A nation is a large social group integrated by a combination of several kinds of objective relationships (economic, political, linguistic, cultural, religious, geographical, historical), and their subjective reflection in collective consciousness. Many of these ties are substitutable, but three of them are irreplaceable: (i) a memory of some common past, treated as a “destiny” of

the group—or at least of its core constituents; (ii) a density of linguistic or cultural ties enabling a higher degree of social communication within the group than beyond it; (iii) a conception of the equality of all members of the group organized as a civil society. (Hroch 1996, 61)

The development of civil society in Palestine was from its onset drawn along political and national demarcations. The reason behind this affinity is that the political imperatives under which the Palestinian society developed always took precedence over other considerations and shaped them in its own character. The Palestinian historical experience in its quest for national independence molded the society in a fashion that minimized regional, religious, and class loyalties.

A fully developed national consciousness—one in which national identifications are strong enough to override regional, religious, and even class loyalties for most of the population most of the time—tends to require systematic propaganda or political education, is done normally but not invariably by a centralizing state and its agencies. (Eley and Suny 1996, 9)

Civil society in Palestine functioned as a substitute to the state in creating national consciousness and awareness. The political identification of the Palestinian civil society in its united quest for independence and liberation also succeeded in making nationalism seen as a relational identity, “and the most easily identifiable expression of nationalism as a relationship are the anti-imperialist movements the world over” (Duara 1996, 163).

The relevance to all the above in the Palestinian national identity is explored in detail in (Kimmerling and Migdal 1994): “The creation of a nation involves a molding of values and myths, of peoples’ imaginations and their identities. It demands leadership, but also a social foundation empowering the leaders and establishing the limits of what they can achieve” (Kimmerling and Migdal 1994, xv). The Palestinians as a distinct group, separate from the other Arabs, established their sense of nationhood during the Ottoman rule, long before World War I and the arrival of

Zionism and the British mandate to Palestine. Nevertheless, the challenges represented by the Zionist movement in particular helped to a large extent mold their strong sense of identity.

The Arab territory was administratively fragmented over centuries of Ottoman, Egyptian, and then Ottoman, British, and Israeli rule, but “a Palestinian national identity, like those of other modern nations, has been created-invented and elaborated-over the course of the late two centuries” (Kimmerling and Migdal 1994, xvii). Kimmerling and Migdal explain that the development of the Palestinian people came as a result of three major factors: the pressures exerted on them by the rise of the Jewish national movement; the extension of the world market into Palestine; and their subjection to consecutive foreign rule, namely the Ottoman, the British, the Jordanian and the Israeli. All these factors transformed Palestinian society and established the foundation for a civil society that from its onset was drawn by political and cultural lines. It is relevant to trace the social transformation during the different periods of foreign rule and follow the emergence of the civil society in its folds stressing the Palestinian national movement as the ultimate expression of that identity.

The Ottoman Rule

Palestine was poorly governed by a corrupt and indifferent Ottoman administration that lasted five hundred years and ended subsequent to World War I. Local feuds and warfare among villages were common. Even Bedouins engaged in some raids on villages. Trade and commerce did not progress because of these insecure conditions. Although Palestine is predominantly a rich agricultural country, it did not flourish under the Ottoman rule because the heavy taxation prevented any

accumulation of capital thereby arresting progress. As well, European capital infiltrated through financial institutions and drained local resources. The rural isolated areas produced at a level of sustenance. Feudal structures existed, as did nomadic ones. Communication suffered among these structures due to a poor transportation system with a poor infrastructure (Deeb and Breer 1980). Palestine's underdevelopment was reflected in illiteracy, which rated almost 90% according to a census in 1931 (Tessler 1994, 124). Other factors confronting the population were disease, due to the poverty, and indebtedness. Most of the land was worked by indebted tenant farmers who passed their debts from generation to another, and borrowed money at very high interest rates to meet short-term expenses (Tessler 1994). The lack of capital prevented the facilitation of a modern economy.

The national revolt of 1834 was the first to help shape the identity of the Palestinian people as one separate from the other "Arabs" of the Middle East. The social structure during that period imposed the landed elite families as the national leaders. The revolt was orchestrated and led by the elite families against an Ottoman vassal, the Egyptian governor Mohammad Ali, who took advantage of the Ottoman weakness and ruled Palestine between 1831 and 1840. The revolt was instigated by a harsh policy imposed on the Arab population to supply high quotas of conscription to serve for long periods in the war against the Ottoman army (Kimmerling and Migdal 1994). The conscription threatened the notable elite families and whole villages with shortages in the labor force. A new centralized policy of tax collection took away the notables most important power base that they have enjoyed under the Ottomans. This was in addition to the high demand put on the farmers and landowners to turn more crops as Palestine and Syria were considered the breadbaskets for Egypt. The Egyptian rule ended in 1840 and the Ottomans regained control with considerable

European help (Kimmerling and Migdal 1994). The situation improved under the reign of Abdel-Hamid, the Ottoman Sultan who ruled between 1876 until 1909. Intervillage warfare and Bedouin raids were suppressed and agricultural activities flourished, as well as trade and travel. Rising world prices in 1860s and 1870s attracted Palestinian merchants, thus encouraging cash crops and overall farming (Tessler 1994). It also led to changes in land-holding and even local warfare over opportunities. This new situation had an effect on migration of peasant farm workers from the inland mountains to the coastal plains creating an urban class. There was now need to unionize in order to gain leverage in their relation with their employers. Furthermore, other components of civil society emerged.

It seems that even poorer migrants had contact with supportive institutions catering primarily to them; religious organizations, political parties, youth groups, women's associations, sport clubs, and so forth. These new formations of civil society were crucially important in at least one respect: the drawing of Palestinians into a single social grouping, set off from non-Arabs in the country and from other Arabs outside the country. (Kimmerling and Migdal 1994, 52)

The material improvements and the related increase in urbanization and education led to changes in the structure of Palestinian society where a new social class emerged. Even though the country continued to be dominated by few elite land holding families, a new intellectual and political class began to take shape as well (Tessler 1994). In addition, early expressions of nationalism surfaced in the form of several Arabic newspapers that appeared in this period. Issues of Palestinian concern were addressed culminating in the formation of political parties by 1904. Some of these newspapers were *al-Quds* published in Jerusalem, *Al-Asmai*, published in Jaffa, *Al-Karmil*, published in Tiberias and later moved to Haifa, *Al-Najjah* in Nablus, and *Filistine*, which was founded in 1911. These newspapers expressed anti-Zionist sentiments and some touched on social issues addressing the plight of the peasants

and social justice (Tessler 1994). The Palestinian civil society was laying the foundation for its own culture.

The political formations were mostly affiliated with groups in Syria that advocated Arab unity and the independence of Great Syria, which included Syria, Lebanon, Jordan, and Palestine. Few groups addressed the Palestine region separately since pan-Arabism was the dominant nationalistic sentiment. "Negib Azoury," a Christian Arab from Palestine founded La Ligue de la Partie Arabe in Paris in 1904 (Tessler 1994). Another group in which Palestinians were active is the Ottoman Decentralization Party, which was based in Cairo and Al-Fatat based in Syria. Other groups were strictly Palestinian, such as the Nablus Youth Society. It was based in Beirut and was composed of Palestinian students from Nablus with an anti-Zionist and an Arab- nationalist orientation (Tessler 1994). Other political groupings were formed in 1914, such as the Literary Club, the Patriotic Economic Company and the Arab Palestinian Economic Company. These groups were stationed in Jerusalem and were also concerned with the increasing Zionist presence in Palestine (Tessler 1994). It is noted that the leadership, as well as the membership of these groups were among the elite families in Palestine who later emerged as dominant in Palestinian politics, most importantly are the Husseinis, Alamis, Nashashibis, and Khalidis in Jerusalem, and Abdul-Hadis and Toukans in Nablus (Tessler 1994). Their role will become more evident in the period of the mandate.

The British Occupation 1917–1947

World War I resulted in the end of Arab dreams of creating a united Arab state. After the Ottoman defeat, Palestine was placed by the League of Nations under a British mandate that was supposed to prepare it for independence. The years of

British rule witnessed an economic transformation that promoted trade and restored links to the world market. The British built a modern port in Haifa that included a refinery and facilities to export oil pumped in Iraq. They also expanded Haifa's port and added new airports, roads, and railroads (Kimmerling and Migdal 1994).

However, the primary concern of the British was the extraction of the country's resources as well as to construct policies that facilitate the creation of a Jewish state for the European Jews as pledged by Britain to the world Zionist leaders under the Balfour Declaration in 1917. Expropriation of Arab lands was accompanied by high taxes that were imposed to force the immigration of Palestinian farmers off the land. Consequently many were pushed into the service sector while more were left unemployed. According to Deeb and Breer, 65% of the Palestinian population in 1922 had lived in rural areas and cultivated the land, while the 35% who lived in urban areas engaged in simple industries and services, as well as some agricultural activities in the suburbs (Deeb and Breer 1980, 27–29). The move to urbanization resulted in social changes.

The growing urbanization and the expansion of education during the mandate helped a new social class develop. The idea of a Palestinian people distinct from other Arabs was enforced and shared by both, the ruling elite and the new intelligentsia. Although not compulsory, education became more available and prevalent among Palestinians under the British mandate. Both Jews and Arabs established institutions of higher learning during these years. The Jews founded the Hebrew University, while the Arabs built the Arab College, both in Jerusalem. A new class of educated Palestinians emerged as bureaucrats and professionals.

This intelligentsia would play a central role in furnishing the shared aesthetic and intellectual material for a concrete expression of the new Palestinianism—a cultural glue helping to keep a society together. The

principal medium was the printing press, production textbooks, fiction, history, political tracts, translations, and poetry, which seemed to capture the Palestinian imagination very strongly. (Kimmerling and Migdal 1994, 54–55)

The British Royal Commission reported that “in 1937 at least fourteen Arab newspapers were published in Palestine and in almost every village there is someone who reads from the papers to gathering villagers who are illiterate” (Kimmerling and Migdal 1994, 56). The influential urban educated class also succeeded in mobilizing a large section of the population in the struggle against Zionism and in strengthening “the notion of a cohesive society with a unique history and facing a shared future” (Kimmerling and Migdal 1994, 56).

Many institutions helped bring the Palestinian Arabs into one social grouping. Among the most important institutions was a set of organizations known as the Muslim-Christian Associations which emerged after World War I. The significance of these groups is the fact that it helped overcome the tensions between the religious groups that was enhanced by the British who, in a number of cases, “treated the different religions as distinct administrative entities” (Kimmerling and Migdal 1994, 52). The groups succeeded in drawing the leadership of both communities into the struggle against Zionism and proclaiming emphatically the existence of a distinct Arab people in Palestine (Kimmerling and Migdal 1994). This development set a trend for a unity among Palestinians, both Muslim and Christian, that still persists until today. “Eventually, even the Palestinian villagers began to adopt this same profile” (Kimmerling and Migdal 1994, 54). Another important institution was The Supreme Muslim Council, “SMC,” which was formed in 1922 to supervise and administer Islamic religious trusts (awqaf) and Islamic courts (Shari’a). Hajj Amin al-Husseni was elected its president (Tessler 1994). The SMC held an international Islamic conference in 1931 to generate support for the Palestinian cause. It was also

active in preventing the sale of Arab land to Jews (Tessler 1994). Therefore, political structures began to emerge.

It is noteworthy to assess the role of British politics in wedging a sharp drift in Palestinian society capitalizing on the Arab sense of “asabiya,” or clan and tribal support system, in its effort to divide the opposition against its pro-Jewish immigration and land policies. The British played two major Palestinian families against one another and succeeded in dividing the opposition against them. The bitter rivalry between the Husseinis and the Nashashibis and their allies shaped Palestinian politics through the 1920s and 1930s and caused an irreparable damage to the unity of the Palestinian society.

The Arab resistance to the Jewish immigration and the early political institutions emerged from the educational and cultural clubs established by the elite educated class, namely al-Muntada which came under the leadership of the Husseinis and al-Nadi led by the Nashashibis (Tessler 1994, 220–221). A series of national congresses grew out of these political clubs. Delegates to these congresses represented the national movement and elected a Central Committee, which later became to be known as the Palestine Arab Executive, as well as an executive president. The structure of the leadership through the 1920s and 1930s was determined by the congress. The Palestine Arab Executive depended heavily on grass-roots support from the local chapters in the rural areas even though their leaders were from the elite families drawn into the national movement. The Nashashibis formed a coalition named “al-Muarada” (the Opposition), against the Husseinis whose majority reigned over the Islamic Supreme Council, and were named the “Majlisiyeen” (the Seated). Frustrated by the infighting and patron politics, younger and more militant political formations emerged; such as the Independence

Party (Hizbil-Istiqlal) and the Young Congress Party in 1932. Al-Khalidi family, formerly allies of the Nashashibis, allied themselves with the Husseinis and formed a new party in 1935 called The Reform Party (Hizbil-Islah). The National Bloc (al-Kutla al-Wataniya) was another patron party formed in Nablus in 1935. The Nashashibis formed a new party in 1934 called The National Defense Party (Hiz al-Difaa al-Watani) which called for partial reform and was more moderate in its views regarding the British and the Jews. In 1935 the Husseinis responded by forming the Palestine Arab Party which followed a more militant rhetoric than the others. Although all these parties were formed to advance the interests and prestige of the major elite families, they were able to use the tribal “hamula” system to construct grass-roots base in some areas. Following the beginning of the General Strike of 1936, all these parties were united under the Higher Arab Committee with Hajj Amin al-Husseini as its leader in order to coordinate strike activities (Tessler 1994, 226–231).

Other groups formed at the grass-roots level, among which were Islamic groups. Islamic national militancy in Palestine started before the second revolt during the British mandate. Izzil-din Al-Qassam’s organization “The Black Hand” and the revolt in 1935, just before the outbreak of the Great Arab Revolt, symbolized a national movement that was built on preaching and calling for Jihad and war against the infiltration of Zionism and Jewish settlements in Palestine. He was able to forge an alliance of the urban underclass in the coastal industrialized part of Palestine with that of the rural inland eastern part of the country. It had a clear anti-Western message to the class displaced by the arrival of the Western methods and influence. Other clandestine groups organized by Muslim leaders appeared on the scene as well (Johnston 1994).

The Great Arab Revolt and The General Strike of 1936 “were in many ways a product of the people at the base of society, in the village and poor urban neighborhoods, than it was of those at the top who were trying to put their stamp on the evolving national movement” (Kimmerling and Migdal 1994, 104). The rural national committees at the villages were the ones who initiated the protests and the first to call for civil disobedience and withholding of taxes from the British government. It was later followed by the elite leadership of the Arab Higher Committee calling for a general strike. Support for the strike came from many quarters and was endorsed by eighteen mayors. Although only six municipalities were actually shut down, the effect of the strike escalated into violent clashes against the British and engaged the whole country in prolonged disorder in what came to be known as the “Great Arab Revolt” which continued until 1939 (Tessler 1994).

The history of the national movement after 1939 and the Great Arab Revolt diminished dramatically because of the heavy burden it placed on the energies of the people who had to battle both the British and the militant Jewish groups who were better armed and organized. Palestinian efforts at resistance were disorganized, uncoordinated, and isolated. After the end of World War II the Palestinian problem was left to Egypt and the other Arab countries to speak for and press Britain for a more equitable policies on their behalf. Ever since, “the Palestinian problem became a pawn or a weapon in the hands of these states in their pursuit of power and primacy” (Tessler 1994, 233). The Palestinians were yet to endure the ultimate defeat in the war of 1948.

As well, world conditions played against the Palestinian national movement. The breakout of World War II engaged Britain in a manner that left the opportunity for the Jews in Palestine to capitalize on the situation in many ways. They were

enrolled in the British army as volunteers and gained much experience and armament as well. On the other hand, the Palestinians allied themselves with the Axis countries in a bid to gain their support against Britain and the Zionist movement. The national movement represented by Hajj Amin al-Husseini had official contact with and openly supported Germany. With the Allied victory, the Palestinians were condemned to failure. The period before 1948 witnessed armed clashes with the Jews, but the balance of power was so skewed that by time the war of 1948 started there was no resistance left to speak of.

The Arab Israeli War of 1948

After the end of World War II, the political situation between the Arabs and Jews in Palestine deteriorated to the level that Britain turned the Palestinian problem to the United Nations which voted in 1947 for the division of Palestine between the Palestinian Arabs and the Jews. The situation ended with the eruption of the first Arab-Israeli war, which ended in the defeat of the Arab armies and the declaration of the state of Israel in May 1948 on 80% of Palestinian land. An exodus of Palestinian refugees followed. One and a half million people left to the neighboring Arab countries. The new situation changed the character of Palestinian society forever. The highest concentration of Palestinian refugees resided in neighboring Jordan and to a lesser extent in Lebanon and Syria. Many of the refugees settled in the territory that was not taken by Israel, which became known as the West Bank and the Gaza Strip.

The West Bank and the Gaza Strip

The Palestinian population in the West Bank came under Jordanian rule and they became to be considered Jordanian citizens, while the Gaza Strip came under

Egyptian rule. Both areas were subjected to tight controls that arrested the development of any meaningful institutions or political activities. The Palestinian population during this period was characterized with dissipation, confusion, poverty, and antagonism towards the Arab regimes that they felt were responsible for their defeat and displacement. The socioeconomic conditions were not inductive towards any kind of organizing or institution building. Instead, they were dependent on what their host countries and the international community were ready to offer them. The restrictive policies of Jordan and Egypt were seen as prohibitive to the civil formations in these societies.

The Egyptian government imposed a near total ban on the formation and registration of political parties and local organizations in Gaza, particularly by refugees who numbered 250,000, including professional and labor unions (Roy 1996, 229). Only few organizations were allowed to form and they were carefully contained. Political groups with overt national orientations remained underground. The only two unions that were briefly allowed were Gaza's pre-existing lawyers' union, but under restrictions that included limitations on membership. The other union was the Union of UNRWA teachers, which only lasted one year before its permit was revoked. In 1964, Gazan workers who were encouraged by the establishment of the PLO, formed an executive committee of the General Union of Palestinian Workers (GUPW) to represent its unions. The name was later changed to Palestine Trade Union Federation (PTUF). By this time Gaza had seven unions, with a membership of few hundred, compared to forty unions in the West Bank. By 1967, Gaza had only six charitable organizations, compared to sixty-eight in the West Bank (Roy 1996, 230). Institutional development was clearly weak, even by West Bank's limited standards.

Conditions for civil formations in the West Bank were more favorable than in Gaza. The Jordanian monarchy annexed the territories and gave its population Jordanian citizenship, in contrast to the poverty stricken and overly crowded Gaza, which Egypt only administered but never tried to integrate. Nevertheless, political freedoms in Jordan were suppressed and efforts were concentrated towards erasing the Palestinian identity. Although the Palestinians in the West Bank were not able to play an independent political role, they were able to form social organizations of students, professionals, workers, and women's groups. These associations tried to serve their particular needs, but also worked for the national cause in a clandestine manner that tried not to antagonize the Jordanian regime.

The Refugee Population

The Palestinian refugees attracted the attention of the international community who, through United Nations institutions, put forth an effort to alleviate some of their misery. The UN provided the refugee population with basic food supplies, medical care, and most importantly, education. This effort was coordinated among its different organs, such as the United Nations Relief and Work Agency (UNRWA), the International Labor Union, the United Nations Development Programs, the World Health Organization, and the United Nations Children's fund (Salman 1993). The education prepared a labor force with better employment chances in the Gulf States, which had vast oil resources and an expanding economy. Remittances from the men and women working abroad subsidized the incomes of families and relatives back home. The concentration of available refugee labor in the suburbs and the refugee camps invited a wave of local industrial plants to establish themselves around these centers to take advantage of labor that was cheap and not

subject to social benefits. Seasonal agriculture work was available as well (Deeb and Breer 1980).

This displaced refugee population became the mobilizing force in Palestinian society instead of the educated elite of the previous era. "The workers-and especially their children-most crammed in refugee camps, defined a new Palestinian consciousness; the bottom-up nature of the new type of Palestinian nationalism had a distinctively different character" (Kimmerling and Migdal 1994, 187). Whole communities moved in the same camps thus extending the familial and tribal relations and keeping their hopes of return alive. Later in the 1960s and out of this Diaspora population emerged the Palestinian resistance movement, which came to define the future of the Palestinians, namely the PLO.

The Palestinian National Movement

The grounds for the emergence of a Palestinian National Movement under the umbrella of the PLO evolved through the formation of several Arab nationalistic political parties in the Arab countries during the period leading to the 1967 war. The period after 1948 witnessed a revival of Arab nationalism.

After the humiliating defeat of the Arab armies in the Arab-Israeli War of 1948, the Arab governments suffered a crisis of legitimacy. Within the following few years, all the Arab governments involved, with the exception of Jordan, fell to new and more revolutionary political groups resting on the basic ideology of regaining Arab rights in Palestine. The nationalists were the leaders of this stage represented by two parties: the Arab National Movement and the Baath Party. In addition, other parties played a major role in shaping the Palestinian National Movement.

The National Arab Movement. This movement is the extension to the earlier movement that emerged after World War I, which sought Arab unity after the defeat of the Ottomans. After the Arab defeat in 1948 and the creation of Israel, the movement's emphasis shifted to the issue of Palestine, while still promoting Arab unity. It was established shortly after the 1948 war by the Palestinian university students in the American University of Beirut. The Palestinians were the most influential leaders of the Arab National movement and their issue was the focus of all political platforms. The party allied itself with Jamal Abdul Naser and his goals of uniting all Arab countries as well as of liberating Palestine. The party's ideology feeds a large segment of the Palestinian population, namely those affiliated with the Popular Front for the Liberation of Palestine "PFLP" and its Marxist offspring, the Democratic Front for the Liberation of Palestine "DFLP."

The Baath Party. The Baath Party was established before 1948 advocating a strategy based on three ideals: Arab unity, democracy, and socialism. In the early sixties and following the appearance of the Fatah group on the national scene, their focus expanded to include the Palestinian region in an independent chapter intent on the liberation of Palestine. The Baath had its grounds in Syria and Iraq with a long feuding history between the two regional commands over the leadership of the Arab world. Military factions in the party took over the governments of Syria and Iraq and the party ceased to exist as a popular grass-roots organization. The Baath followers in Palestine are aligned with the Syrian regime. Other parties existed and played an important role as well. These are the Arabs Socialist Union, the Islamic Brotherhood and the Communist Party.

The Arab Socialist Union. This socialist party emerged in Egypt in the 1960s to consolidate the powers of Jamal Abdul-Naser and his one party rule in Egypt. Naser led a military coup in Egypt that ended the monarchy in 1952 and resulted in the expulsion of the British from Egypt, as well as to the nationalization of the Suez Canal in 1956. After the invasion of Egypt by the allied forces of England, France, and Israel in 1956, and the intervention of the UN to stop the war, Naser was elevated to the status of a great Arab leader and patriot (Ziring 1995, 149). Naser wanted to unite the Arab world and to liberate the Palestinian territory. This ideal was for a long time a major unifying concept in Arab politics, and one that was used to earn its leaders legitimacy and popularity. "Arab nationalism in the rest of the Middle East was a movement allied to Naser and his goals" (Ziring 1995, 149).

The Islamic Brotherhood. The movement was founded in Egypt in 1928 essentially to fight the British (*New York Times*, November 8, 1994). Later it became a movement to combat the communist infiltration in the Arab countries. Members of the Islamists from Egypt fought in the War of 1948 in Palestine. They made their first connection with Naser, Sadat and the rest of the revolutionary officers who also fought in that war under the Egyptian army four years before their revolution of 1952. At the beginning, the Islamic Brotherhood was supportive of Naser and his cause. Their relationship deteriorated when both sides tried to exert control and manipulate each other. Ever since the movement was banned from Egypt after they tried to assassinate Naser in a failed coup attempt, the movement allied itself with Arab reactionary and conservative regimes and became to be considered anti-progressive and unpopular. This is when the Brotherhood lost favor with the Arab masses who revered Naser as the symbol of Arab unity and the future liberator of

Palestine. After the brotherhood lost its political clout, it turned to a vast network of institution building and social and humanitarian activities which was later to enhance its political power as it became the center for the opposition to the new Palestinian Authority after 1993.

The Communist Party. The communists did not form a significant organization in the Arab world mostly because of the strong Islamic and nationalist heritage present among the Arabs. The Communist anti-national tendencies antagonized the Arab public in general. Their presence in Palestine was organizationally part of the Jordanian Communist Party. In 1982, a fully independent Palestinian Communist Party was formed (Robinson 1997). They became more popular after they made the switch and committed to Palestinian nationalism, a decision they reached after considering that the Israeli Communist Party is committed to Jewish nationalism. The only organization sympathetic to the communists is the DFLP, an offshoot of the Arab National Movement. The Communist group formed the Palestinian People's Party (PPP) in the 1980s. While the Communists joined the Palestinian National Council (PNC) in 1968, they did not hold a seat on the PLO Executive Committee until 1986 (Robinson 1997). They later made the transition from the ranks of the opposition to actually joining the institutions of the PLO and agreeing to the peace agreement despite its strong opposition to its terms, losing in effect much of its previously held legitimacy and popularity (Abu-Amr 1994). Although their political role was marginal, the communists were very influential in the recruitment and mobilization of the labor unions and the students' movement as early as the 1920s. Their popularity faded when Fatah appeared on the horizon of Palestinian politics.

Fatah. The Fatah group appeared as a result of frustration over the dependency on other Arab regimes and national groups which crystallized in 1962 with the failure of the union between Egypt and Syria, the United Arab Republic. Naser's dictatorial policies in Syria shattered the union in a military coup led by the Syrian Baath party. The hopes of the Palestinians of Arab unity as the road to liberate Palestine were crushed. An atmosphere of frustration among Arabs and Palestinians dictated the creation of a new independent Palestinian movement. Anticipating this need, the Arab League created the Palestine Liberation Organization, "PLO," in 1964, as a tool of controlling the Palestinian national movement. The PLO lacked the autonomy and independence since it was tied to the Arab regimes, especially that of Naser. Therefore, Fatah emerged as the ultimate free expression of the aspirations of the Palestinian people.

Fatah started as a student movement headed by Yasir Arafat. The movement began to take shape at a meeting held in Kuwait in 1957 but did not materialize until 1962. Its leaders were Yasir Arafat, Khalil al-Wazir, Farouq al-Qaddoumi, Khaled al-Hassan and Salah Khalaf (Tessler 1994, 376). Its goal was focused on the Palestinian problem and therefore recruited support from all other parties and presented itself as an alternative to the Arab National Movement which was aligned with Naser. Fatah advocated a policy focused on Palestinian statehood and independence and non-interference in the interior affairs of other Arab regimes. This simple ideology helped it mobilize most Palestinians and gained the support of the Arab conservative and oil rich regimes, such as Saudi Arabia, Kuwait and the rest of the Gulf states. These Arab regimes supported Fatah financially in two important ways: by donating to Fatah directly, and by imposing a 5% Fatah tax on every Palestinian that worked in

their countries. Fatah became very rich and autonomous. The creation of Fatah forced other political parties to shift their focus and prioritize the Palestinian problem over pan-Arabism. The Arab National Movement established a separate Palestinian organization, the “Palestine Front for the Liberation of Palestine” (PFLP) under Dr. George Habash. The Baath party established a “Palestine Section” within the party, AL-Saiqa. The defeat in the Arab Israeli War of 1967 and the failure of the Arab Regimes, especially that of Naser, gave enough power to Fatah to become the dominant power and to emerge as the leading party in 1969.

The PLO. The Palestine Liberation Organization was established following an Arab League decision in 1964. The decision was in response to growing Palestinian unrest among the refugee population in the Arab countries, but was not originally intended to be more than a support of the Arab regimes and the pacification of the Palestinian population among them. Based on the Arab League’s decision, 422 Palestinian national figures met in Jerusalem under the chairmanship of Ahmad Shukairi and founded the PLO. They laid down the structure for the Palestine National Council (PNC), The PLO Executive Committee, The National Fund, and the Palestine Liberation Army (PLA), as well as approving a Palestinian National Charter, called the Covenant, and the Basic Law which works as a constitution (PASSIA 1996). The PLO was intended to be a tool of control for the Arab regimes, namely Naser in Egypt, and did not gain its independence as a Palestinian movement until the Fatah group took control in 1969 and elected its leader Yasir Arafat as the PLO chairman. Fatah emerged as the party to establish the peace with Israel in 1993 under the PLO name and constitutes the current government under the name Palestinian National Authority, PNA or PA.

The PLO has been an umbrella organization for several Palestinian factions and resistance groups which represent all the Palestinian political groups and military formations. But the dominant party has been Fatah, which practically dominated the PLO since 1969. These are listed in the 1996 Diary of PASSIA as follows:

Fatah (Palestine National Liberation Movement led by Yasir Arafat; the Popular Front for the Liberation of Palestine (PFLP) headed since its establishment by Dr. George Habash; the Democratic Front for the Liberation of Palestine (a Marxist-Maoist group led by Nayef Hawatmeh); Palestine People's Party (PPP) which is the former Palestinian Communist Party launched after the *Intifada* as a new democratic party and broke with its Leninist past led by Bashir Barghouti; FIDA (Palestinian Democratic Union), a faction of the DFLP formed by Yasser Abed Rabbo; Popular Front for the Liberation of Palestine-Central Command (PFLP-CC), formed in 1969 as a splinter group of PFLP and led by Ahmad Jibril, an anti-Arafat faction within the PLO; Al-Saiqa is a Syrian backed and controlled PLO faction, leftist military organization established in 1968 by the Baathist regime in Syria; Palestine Liberation Front (PLF), extreme guerrilla group split from the PFLP-CC in 1977 to follow a pro-Iraqi position, led by Mohammad Zaidan (Abu-Abbas); Arab Liberation Front (ALF), Iraqi sponsored PLO faction established by Iraqi Baath Party and under the Iraqi army command; Fatah Uprising led by Colonel Sa'ed Moussa, broke away from Fatah in 1983, has guerrillas in Syria and Lebanon, had military confrontation with the main stream Fatah in 1983; Palestine Popular Struggle Front, an extremist group that split from Fatah in 1969 has close ties with leftist Baathists, led by Samir and Subhi Ghosheh; Rejectionist Front, Iraqi backed group of opponents to any settlement with Israel, members are PFLP, PFLP-CC, Popular Struggle Front, and PLF; Fatah Revolutionary Council, led by Sabri al-Banna (Abu-Nidal) broke from Fatah in 1974 and expelled from the PLO in 1974; the Palestine National Salvation Front formed in 1985 by PFLP and pro-Syrian groups in Damascus as an umbrella organization for groups opposing Arafat's policies and led by Khaled al-Fahum; the Black September Organization which is an offshoot of Fatah and operated between 1972–1974 in response to the Jordanian expulsion of the PLO from Jordan in 1970 and led by Ali Salameh and was responsible for the massacre of the Israeli Olympic athletes in Munich in 1973; the Palestinian National Front (PNF) formed in 1973 by the PNC as a PLO affiliate to coordinate national activities in the Occupied Territories, it formed the national bloc for candidates to the 1976 municipal elections, led by Khalil Al-Wazeer. (PASSIA 1996)

With a definite Palestinian identity stamped on the PLO, it acquired a more central role in mobilizing Palestinians as well as gaining international support. It created a number of organizational structures to provide the Palestinian population in

Diaspora with education, health, social services and employment opportunities and to relieve the conditions of the Palestinian people. The highest executive body is the Executive Committee consisting of 12 members elected by the Palestinian National Council (PNC), and which has full operational authority over all PLO organizations and prepares the budget. It gained recognition and established diplomatic missions in over a hundred countries and obtained a permanent seat in the UN General Assembly in 1974. The Arab League elected the PLO as the sole representatives of the Palestinian people in 1974. It formed quasi-governmental structures in Jordan and Lebanon performing tasks in the areas of internal security, military operations, finances, information and foreign relations. These activities were considered an infringement on the sovereignty of the host countries, which fell prey to Israeli retaliatory military strikes. The PLO declared an independent Palestinian state in 1988 and a month later announced the recognition of Israel's right to exist and its renunciation of terrorism, but Israel refused to recognize the PLO and banned all its citizens from making any contacts with it. The political leadership remained in Tunis until it moved to the Palestinian autonomous areas following the Oslo agreement with Israel. It is now the Palestinian Authority.

The Israeli Occupation of the West Bank and Gaza in 1967

After the war of 1967 and the occupation of the West Bank and Gaza, Israeli policy was guided by the need to control the Palestinian population and destroy its national identity through the imposition of a repressive military administration. This policy precluded any shared space between the Israeli authority and the Palestinian society in which a civil society can flourish. Israel's policies and practices under various governments have been focused on systematic expropriation of land, major

natural resources and the construction of settlements and movement of Jewish settlers into the Occupied Territories.

More than 50% of the land in the West Bank and 60% of that of Gaza have been confiscated since 1967 (Abdo 1994). Farmers in the Occupied Territories were denied access to water and were restricted from cultivating certain crops. Agricultural outputs fell from 36.3% of the GNP in 1968 to 26.9% in 1983 and the percentage of agricultural workers fell from 44.8% in 1969 to 18.7% in 1985 in the West Bank, and from 31.1% to 9.7% in Gaza (UN ECOSOC 1993). A policy shift produced an army of cheap labor that was absorbed in the low-wage labor market in the construction and farming centers in Israel. The new working class encountered severe working conditions. The infrastructure and the economy of the region became linked to Israel and labor as well as the consumer market became exclusively dependent on Israeli industry. The economy could not absorb all of the available labor force, which increased unemployment. Work in Israel has been affected by constant interruptions due to the instability of the region. Resistance to the new conditions became a question of survival for the Palestinians.

The Palestinian population after 1967 entered several phases of adjusting to the situation under occupation. This adjustment evolved from passive non-cooperation in the early years to armed struggle launched by the PLO on the outside of the territories. This later stage was accompanied by institution building inside the territories. It later developed into a long arduous diplomatic activity which launched the revolution inside the territories, the *Intifada*. The final stage was direct negotiations and a peace settlement with Israel, bringing the PLO from the Diaspora into the Occupied Territories under the banner of the Palestinian Authority.

Phase One: The first phase was a reaction to the shock of occupation and the illusion that it would be temporary like the Israeli occupation of Egyptian territory in 1956. In 1967, Palestinians put their hope in the UN Security Council resolution 242, which called for the withdrawal of occupation forces. The period between 1967 and 1970 was characterized with non-cooperation with the Israeli authorities as the most natural expression of resistance. There was a boycott of Israeli goods that immediately flooded the market but its effects did not hold as imports and exports were virtually closed to the Occupied Territories. Local industries suffered as a result and capital gradually vanished. The policy of non-cooperation led to the crippling of Palestinian society as schools, universities and courts were closed and there were continuous strikes among professionals and business people. The population became more dependent on remittances sent by family members working outside the country. The Palestinian leadership on the outside was exploring all the options available to end the occupation, including armed struggle against Israel. The Israeli construction of Jewish settlements in the heart of Arab population centers and on Arab expropriated land brought the Palestinians to the realization that the occupation was permanent. This required a new focus.

Phase Two: The second phase was between 1970 and 1982 and took two different tracks. On the local level, it was the strategy of waiting and holding the status quo until a settlement was reached through the efforts of the international community, the Arab states, and the PLO. Israel during this stage left the structure of Palestinian municipal government intact as a deliberate maneuver to work through the system of notables and local governments that it had taken from Jordan.

On the outside level, the PLO won the vast support of the Palestinians everywhere and was endorsed by the Arab League as the sole legitimate

representative of the Palestinian people in 1974. The PLO pursued a strategy of military strikes against Israel operating from bases inside Jordan and Lebanon. Israeli military response against these countries was so strong that the PLO lost the support of these governments. As a consequence, the PLO was expelled from Jordan in 1970 in a ruthless fashion that earned the name "The Black September." The PLO moved their military bases to Lebanon, where they practiced an extreme autonomous presence that antagonized many Lebanese. The Lebanese rightist movement, the Phalange Party, aligned itself with Israel and expelled the PLO from Lebanon in 1982 following a bloody war which involved the massacres of many Palestinians in two major refuge camps, Sabra and Shatila. The misfortune of the Palestinians in this period witnessed the end of the united Arab front with Egypt striking a separate peace with Israel and the beginning of the idea of an autonomy status for the Palestinians under the Camp David Agreement in 1979. Institution building became the major aspect of resistance to the occupation in this period. The 1970s witnessed major changes in which all major political players participated and even competed over delivery of different levels of educational, health and social services to the population in the Occupied Territories. The PLO changed its previous strategy and began a new focus regarding the West Bank in specific. It started channeling substantial political and financial resources in an attempt to balance the Jordanian influence at regaining the West Bank. Gaza was ignored in the process of competition between the PLO and Jordan, something that contributed more to its backwardness and poverty. Israel too started a new strategy in the West Bank.

During the early 1980s and under the Likud government, Israel criticized the old labor government of having failed to interrupt the flow of PLO funds to the territories and for having failed to adequately manipulate rewards and punishments so

as to foster a friendly local elite. It sought to cut off the access of Arab municipalities to external funding and threw its weight as well in order to co-opt segments of the population. In building the "Village Leagues," Israel created a class of client Palestinians by providing them with funds, arms and an intermediary role between the population and the military government (Brynen 1995). These efforts failed and those who cooperated with Israel were considered collaborators and were eventually liquidated. A major contribution to Palestinian society was Israel's introduction of a new voting law in 1971 to replace the old Jordanian law. While the old law only allowed males over twenty-one years of age who own property to vote, the Israeli law extended the voting rights to women for the first time and canceled the ownership of property as a criteria of eligibility. This was a major change that affected the future of Palestinian civil society, especially in enhancing women's political participation.

Phase Three: The third phase between 1982 and 1987 witnessed an active period of failed diplomatic efforts and PLO activities to remain the sole representative of the Palestinian people in the face of the Jordanian efforts to regain that status. With the PLO moving to Tunis only as a political group reduced of its military options were very limited. The population inside the territories suffered under the occupation policies of continued land confiscation, settlement construction, control over natural resources, especially water, and continued violation of human rights. This period witnessed the emergence of a new elite class, which replaced the old landed elite. According to Glenn Robinson (1997), the old elite were the landowners whose loyalty to the Jordanians and complacency with the Israelis ensured their dominance over the other social classes and took precedence over national and patriotic considerations. This class was eclipsed by the rise of a new

social elite class in the 1980s due to unintended Israeli policies: “opening Israel’s labor markets to mostly agrarian Palestinians weakened patron-client networks, and land confiscation attacked that which brought the notable class social power-control over land” (Robinson 1997, x). Members of the new elite class who came mostly from villages, refugee camps, and small towns acquired higher education made possible by the opening of several universities in the Occupied Territories. “In short, the changing labor market transformed peasants into Palestinians” (Robinson 1997, x). Authority in the Palestinian society was pushed downward and away from the traditional notable-elite class. The new elite embraced the cause of Palestinian nationalism. It was primarily grounded in the powerful student movement, which included all political factions including the Islamists. It was younger, more educated, more humble and of less urban origin than the old elite. Women constituted a significant portion of the movement. The new elite was central to the process of mass mobilization in the 1980s and led the grass roots organizations that emerged in large numbers then, “bringing with it modern ideology stressing individual association and democratic hierarchy” (Robinson 1997, 93). This was the class that was responsible for bringing the *Intifada*.

Phase Four: The fourth phase was characterized with rebellion, which came from inside the territories in the form of the *Intifada* between 1987 and 1993. The failure of the PLO and the other Arab states to deliver an end of Israeli occupation, whether through armed means or through intense diplomatic channels, elevated the level of frustration inside the Occupied Territories to an all out revolution. This signified for the first time the transfer of authority from the Palestinians outside to those inside the Occupied Territories. Just like the Great Arab Revolt of 1936, this revolt started at the grass-roots level and spread to all facets of society.

The political significance that the *Intifada* produced on the international scene dramatically changed the course of Palestinian history. The prolonged shut down of the whole country by Israeli authorities and the extremely harsh response of the Israeli army to the unarmed civil disobedience attracted international media coverage and brought the issue of the ignored Palestinian question to the forefront of international politics. Israel realized that it could not continue to occupy another people forever. It never intended to annex the Palestinians either, because that would change the foundation of the Jewish state by creating an Arab majority. Israel failed to implement a strategy of making Jordan with its Palestinian majority a substitute Palestinian state and effectively deporting the Palestinians to Jordan. The international community, the U.S. in particular, realized that they could not close their eyes to the occupation indefinitely. The political gains of the *Intifada* imposed the diplomatic venue and, after a lot of maneuvering, made it possible for the PLO to initiate negotiations with Israel.

Entering the phase of negotiations, the only bargaining power the PLO had were the gains that the *Intifada* achieved. With the end of the Cold War, the PLO was left without a superpower patron and was strongly pushing for a diplomatic settlement under international supervision. Three years into the uprising, the peace talks were opened in Madrid to settle the conflict between Israel and the Arab Confrontation Countries; those countries that shared common borders with Israel and had territory occupied by Israel. The venue of the peace talks was later moved to Washington D.C. The Palestinian delegation, which was composed of PLO supporters from inside the Occupied Territories, was part of a joint Jordanian-Palestinian delegation, but the PLO was not represented because Israel refused to negotiate directly with the PLO. Even though the PLO did not directly participate,

the Palestinian negotiating team was not free to conduct the negotiations without fully coordinating with the PLO. It seemed at the time that this concerted effort was a sign of unity and harmony between the inside and outside leadership. However, this was only an illusion.

The political prospects looked worse for the PLO after the end of the Gulf War in 1991 because of its historical error of endorsing the Iraqi invasion of Kuwait and therefore losing all its financial support from the Arab oil rich countries and suffering much hostility from much of the Arab world. With the negotiations moving very slowly and the fear of being replaced by an alternative Palestinian leadership from the inside, the PLO secretly opened five different channels of negotiation with Israel in order to save itself and remain a major player in Palestinian politics. The Oslo channel succeeded and a separate peace arrangement with Israel was concluded in September 1993.

The Oslo peace agreement signed between Israel and the PLO shattered the balance within the Palestinian political community. The Palestinians on the inside felt frustrated at not being included in the secret negotiations which took place while the international negotiations they were involved in were ongoing. The masses, that were instrumental in the *Intifada*, developed a sense of being betrayed that their revolution was ended prematurely and stolen from them by the outside. "While the *Intifada* was a social revolution, it remained incomplete. Political power in the post-*Intifada* polity was captured by an outside political force, one geographically and politically removed from the West Bank and Gaza: the PLO in Tunis" (Robinson 1997, xi). The euphoria displayed on the international scene after Oslo gave the people a temporary hope that the peace will deliver actual improvement in their lives. As details of the secret agreement were very slowly and deliberately released by the PLO, the opposition

among Palestinians materialized. This is because it is felt that the agreement was reached to save the PLO as an organization and did not deliver substantial changes to the people. The opposition to the agreement among the different factions and especially the Islamists is behind the violence in the area, one that threatens to destroy the peace agreement itself.

The Roots of the Opposition

Even though the current opposition under the PA is centered on the Oslo agreement, its roots extend further back and stem mostly from the rivalry over the legitimacy of representing the Palestinian people. The opposition is now centered in the Islamic movement, Hamas.

Hamas

Hamas, “Harakat Al-Mukawama Al-Islamiya” (Islamic Resistance Movement), is the military branch to the Islamic Brotherhood Party as discussed herein. The Brotherhood had for a long time promoted a non-engagement policy with Israel, something that made Israel ignore their vast social infrastructure in the West Bank and Gaza. The Islamist groups offer a social and political vision different from the other Palestinian groups, and they have attempted to rival and create parallels to the PLO apparatus in the Occupied Territories through their own structures of social and civil services. “The Israeli authorities immediately saw in Hamas an opportunity to weaken the PLO and contributed considerably to the development of their organization” (Schiff and Ya’ari 1989, 223). These Islamic groups were encouraged to establish social institutions and NGOs, facilitated their fund raising activities and gave them easy permits for their different functions. That and the fact that their

funding came from conservative Arab regimes, like Saudi Arabia, shadowed their credibility in the public eye. In spite of that, the poverty-stricken country, especially in the forgotten Gaza, looked upon the social services Hamas provided with gratitude and reverence. Military officials in Israel describe Hamas as a movement that has put down roots in the community through long and arduous preparation, beginning in the mid-seventies with a vast social program building a network of schools, medical clinics, Koranic classes and other social services. Hamas' position was further improved after the Gulf War when the oil rich countries withdrew their support to the PLO. A flood of money was poured by the Gulf oil rich states in support of the Hamas social institutions. Hundreds of kindergarten through 12th-grade schools, infirmaries, agricultural aid commissions, and many others flourished under this arrangement. Hamas established an Islamic University in Gaza as well. "So intertwined is Hamas with the working of ordinary social and educational organizations that it is nearly impossible for a devout Muslim to know if he is donating funds to school or to Hamas or both" (*New York Times*, October 20, 1994). Hamas possessed overwhelming support, thereby placing them in a position to challenge the PLO. The conflict between Hamas and the PA takes two separate forms. The first is based on ideological foundation, while the other centers on the rivalry of representing the Palestinian people, which was crystallized by the events of the *Intifada*.

Islam and Secularism

What exaggerates the division between the PA and Hamas is that there is a general, mutual, and unsympathetic reception between Islam and modern secularism, represented by the West. The causes of this antagonism are explained by the

fundamental Islamic view as one generated by the impact of Western culture on traditional and Islamic societies. Reinforced by colonial rule, this influence is resisted by “re-asserting religious roots, and extremist minorities sometimes resort to violence in a desperate attempt to stay the infiltration of norms deemed abhorrent” (Braibanti 1995, 20). The Islamists in Palestine feel that the peace settlement with Israel is imposed on the Palestinians by the Western powers. Israel is still viewed by Islamists as a Western creation in the middle of the Islamic world to put a wedge against Arab unity and progress and to continue to dominate the oil rich resources in the Middle East. The antagonism against Israel is one against the West and the opposite is true as well. On the other hand, the most immediate cause to the West’s unsympathetic reception of Islam is “the fear of the rising Muslim violence spawned in the context of frustration over the plight of the Palestinians” (Braibanti 1995, 23). This had been enforced in the past by the declarations of the Organization of Islamic Countries in denouncing the Israeli occupation and supporting the legitimate rights of the Palestinian people.

Intifada

The Uprising: In the recent events specifically, the roots of the current Islamic opposition against the PA were seeded with the emergence of the *Intifada* and the rivalry over the legitimacy of representing the Palestinian people. At its onset, the *Intifada* was underestimated by the PLO’s leadership, something that caused a rift between the people and the leadership that was supposed to represent them. When the leadership realized the seriousness of the movement and its irreversible momentum, “they directed the Fatah followers in the West Bank and Gaza to join the violence and further its momentum. They began pressing the trade unions, youth

committees, and individuals identified with nationalist circles to get their supporters out to the street” (Schiff and Ya’ari 1989, 47). By then the fundamentalist factions had already circulated leaflets and had instructed their followers to carry green flags instead of Palestinian flags to resemble “Islam.” “It was not until well into January 1988 that the PLO recovered its balance and ability to lead the *Intifada*” (Schiff and Ya’ari 1989, 49). The local leadership that emerged inside the territories was not allowed to assert its independence of the political leadership outside the territories, namely the PLO. Fatah could not assume the sole leadership either and therefore formed a Unified National Command. It represented four groups: Fatah, PFLP, DFLP, and the Communist party (Schiff and Ya’ari 1989). This move by Fatah to take over the *Intifada* propelled the Islamic Brotherhood to create a military branch to participate in the *Intifada*. Hamas emerged on the scene.

There was a turning point in the strategy of the Islamic movement that forced it to make the shift from a social humanitarian organization to a political organization engaged with the rest of Palestinian society in the struggle against Israel. The Islamic cadres, who were part of the new elite that developed in the 1980s and who were mostly from the student movement, pressured their traditional leadership to follow the cause of the *Intifada* and make the transition (Robinson 1997, 136–138). The Islamic Brotherhood’s leadership in Gaza realized that it had to follow the *Intifada* and called its membership to join its activities. When the PLO tried to take control of the *Intifada*, the Islamic Brotherhood leader, Sheikh Ahmed Ismail Yassin, countered the PLO initiative by establishing an underground fundamentalist movement, Hamas, and the Brotherhood membership joined it almost automatically. “The process of ‘Palestinization’ had been at work in the Islamic movement at the grass roots level and among the young and educated cadres” (Robinson 1997, 22–24). “It succeeded

in shifting its accent from the broader scope of an 'Islamic Nation' onto more narrow concerns of Palestinian nationalism" (Schiff and Ya'ari 1989, 221). This was a major adjustment in the Brotherhoods' ideology. This sharp deviation from their policy was not an easy decision and Yasin tried his best to create the impression of a distinction between Hamas and the older public movement in order to maintain a favorable status with the Israeli authorities (Schiff and Ya'ari 1989). Yasin is quadriplegic cleric who had been sentenced to life by Israel (*New York Times*, October 20, 1994). He was released in October 1997 in an exchange with Jordan of two Mossad Israeli secret agents caught inside Jordan in an attempt to assassinate another Hamas leader, Khaled Misha'l. Israel was taken by surprise by this transformation.

The belief on the part of the Israeli administration that it was possible to restrict the Islamic revival to conservative, apolitical lines was mistaken from the start, because for the pious Muslim, nothing can match religious institutions as tools of recruitment and control. (Schiff and Ya'ari 1989, 223)

In Gaza this lesson was learned too late. The Israelis allowed the fundamentalist Muslims to move into positions of power in the religious establishment. Once they had acquired that source of leverage, they began to flourish as a political force as well. This lack of vision on the part of the Israelis prevented them from seeing the collision course early on. Israel helped create a problem that it could not control until it concluded a peace agreement with its historical adversary, the PLO, under the Oslo Accord in 1993. The Hamas problem was transferred from Israel to the new Palestinian Authority. Isaac Rabin, the deceased prime minister of Israel, was quite open about Israel's desire to see the PA do Israel's "dirty work." "The Palestinians will be better at it than we are. . . . They will rule by their own methods, freeing, and this is most important, the Israeli army soldiers from having to do what they will do" (Robinson 1997, 189, from *Yed'ot Ahronat*, September 7, 1993). The current

opposition is now reduced to the opposition of the Oslo Agreement and to all of what transpired as a result of that agreement; to take the necessary steps to ensure its failure and to finding alternative solutions to the Palestinian problems. Part of the opposition is within the PLO, like the PFLP and DFLP, while the main opposition is outside the PLO, namely the two Islamic movements of Jihad and Hamas (Abdul-Sattar 1996, 9–11).

The failure of the PA to deliver real peace and economic security for the people in the Occupied Territories, as well as its exclusion of major segments of Palestinian society from negotiations with Israel and representation inside and outside the territories, brought a wave of opposition centered in the forces of the Islamic groups, namely Hamas. Hamas stood as the only viable opposition to the authority of the PA which was deemed as corrupt and self-serving.

Islamic Jihad, which was loosely affiliated with *Fatah*, is financed by Iran. It rivals the other Islamic movement but it is more secretive and more organized. Their leader, Sheik Abdel Aziz Odeh, was deported by Israel in 1987 (Black and Morris 1991, 463). “Islamic Jihad calls for the resistance of the occupation but will not allow a conflict with the PA. It agrees with Hamas on all major points, but it is more open to dialogue and rejects political atomization” (Kasim 1996, 12).

Hamas originally rejected the principle of peace as a sell-out of Palestinian legitimate rights. After the Oslo Agreement, it made the transition necessary to realistically and pragmatically confront the new situation that emerged from the signing of the agreement (Kodmani-Darwish 1996, 28). In its effort to avoid being marginalized and to preserve its political position as a rival to the PLO, its opposition centered on the terms of the agreement not on its principle.

The failure the PLO to integrate Hamas in the peace process through consensus building and concentrating instead on concluding the agreement with Israel created, not only an opposition to its power, but a political force that shares the Palestinian legitimacy with the PLO. As popular dissent against the PA increases, the popularity and public support for Hamas increases because it represents the only form of opposition available.

CHAPTER IV

COMPONENTS OF CIVIL SOCIETY

Introduction

A wide spectrum of social organizations existed in Palestine and constituted the backbone of Palestinian society in the absence of the national state and in the face of a long and difficult occupation. The *Intifada* highlighted the voluntary cooperatives and was accredited with the transfusion of voluntary mass organizations. This foundation of civil society is the culmination of popular participation and mass mobilization of all ideologies on the left and on the right. These include a vast network of non governmental organizations, "NGOs," a variety of cooperatives, charitable associations, social work groups, human rights organizations, labor and trade unions, student groups, and women's societies. All these different formations constitute an infrastructure of civil and political institutions that worked toward securing the survival of Palestinian society in the face of the Israeli government's attempts to stunt its development and to arrest its growth. They represented the counterweight and the substitute for the occupying power that not simply neglected, but also disrupted these crucial services. As diverse as these groups were, they were drawn together toward securing the survival of Palestinian society in the face of an Israeli military regime that they considered illegitimate, and their goal was not simply to undermine its control, but to dismantle it altogether. The Israeli military authorities have consistently tried to repress any form of organized political activity.

Restrictions are codified in military law and have been invoked by the Israeli government to justify a variety of measures: refusing to register institutions, deposing institutional leadership, prohibiting elections, restricting membership, outlawing entire classes of institutions, blocking funding, and appropriating and destroying institutional property. . . . Institutions had to obtain a permission to hold a meeting if it was to consist of three persons or more. (Roy 1996, 239)

Roy adds that thousands of military laws were issued during the occupation to regulate civil life and freedoms. Very few of these laws and regulations were suspended after the PA took over.

By the time the Palestinian Authority took over the administration of the Occupied Territories after the Oslo Accord in 1993, the civil society had already built a wide infrastructure of a future state. These social formations are divided into four different sectors: NGOs, which include voluntary cooperatives and voluntary mass organizations, labor and trade unions; students' movement; and women's movement.

NGOs

The Israeli administration in the Occupied Territories was concerned primarily with three things; sustaining the occupation, which was financed by taxing the occupied population, marketing its consumer goods into the Occupied Territories, and the construction of Jewish settlements. According to the World Bank report on developing the area published in 1993, the only services that were kept up were those related to the Jewish settlements or the services that contributed to the marketing of the Israeli goods in the territories. The report also stressed the need for improving areas like roads, schools, water, electric services, and sanitation. As a result of these policies, a huge vacuum existed in the social and economic needs of the Palestinian community.

The neglected infrastructure and the economic and social development of the Occupied Territories were the responsibility of two sources: the international organizations, such as the United Nations Relief and Works Agency (UNRWA), which concentrated on the refugee population and their needs, and the NGOs; the private voluntary and for profit sectors. UNRWA is funded by some 60 countries and a dozen charitable organizations (World Bank, Human Resources and Social Policy 1993, 25). "The NGOs had the primary job of identifying the economic and social needs in the Palestinian society and of mobilizing the resources to fulfill those needs" (Stanley 1994, 7). The NGO sector, "named as the third sector" (as contrasted with the governmental and private sectors), addressed many of these problems as their resources allowed and targeted all sectors in society.

The Palestinian NGOs sector began largely as welfare organizations in the 1920s and the 1930s and developed to become the major provider of basic services during the Israeli occupation.

It developed further during the *Intifada*. By the mid-1990s, Palestinian NGOs provided up to 60% of primary health care services, nearly 50% of hospital care, and 100% of disability care; nearly 100% of all agricultural extensions, training and research; and about 30% of educational services, including almost all kindergartens and day-care centers. It is composed of over 1500 organizations. (Sullivan 1996, 94)

The Palestinian NGOs were founded by students, women's groups, labor and trade unions, human rights activists and others. In addition, there are some two hundred international NGOs providing a range of activities to Palestinians, usually in cooperation with Palestinian NGOs (Sullivan 1996, 94).

NGOs and Health Care

The document prepared by the World Bank's mission identified three primary sources of financial support that functioned in the Occupied Territories in the sectors of health, education and social welfare programs: the UNRWA, the Israeli Civil Administration, the NGOs and the private sector. UNRWA accounts for a substantial amount of health care. It offers basic health care without charge to 940,000 registered refugees, which constitutes half the population of the Occupied Territories, and contracts with private and government hospitals for provision of secondary care to refugees. It also reimburses refugees 60% of the cost of hospital care obtained outside its system (World Bank, Human Resources and Social Policy 1993, xiii). In 1991, the Israeli Civil administration spent \$125 million on health and education services in the Occupied Territories, while UNRWA spent a total of \$85 million. NGOs, both charitable and for-profit, added \$185 million (World Bank, Human Resources and Social Policy 1993, xi). The NGOs and charitable and for profit organizations accounted for more than half of all spending on health care for that same year (World Bank, Human Resources and Social Policy 1993, xii). Half of all primary care facilities and all the sophisticated health and education services are owned and managed by charitable organizations (World Bank, Human Resources and Social Policy 1993, p. xi). These have been financed by private donations from the Gulf states and grants from official bilateral sources. In addition, grass roots NGOs, known among Palestinians as "national voluntary organizations," have grown very rapidly since the beginning of the *Intifada*. More than a hundred clinics were constructed between 1988 and 1990 (World Bank, Human Resources and Social Policy 1993, xiv). Between 720 and 750 physicians (approximately one third of all

practicing in the Occupied Territories) work at clinics in the voluntary and for-profit sectors. About 200 physicians and 800 nurses are employed by NGOs hospitals. Thirty percent of acute care hospitals and half of all hospitals are operated by the NGOs sector (World Bank, Human Resources and Social Policy 1993, 30). The most prominent NGOs providing health care are the Red Crescent Societies, the Patients' Friends Societies and the Women's Union Societies. The largest NGO dealing with health issues is the Palestine Red Crescent Society (PRCS) which was founded after 1948 and in response to the urgent social and medical needs of Palestinian refugees who were scattered in Jordan, Syria, Lebanon, Egypt, Kuwait and other Arab countries. Since its inception, the PRCS has established 35 hospitals, 100 clinics, four rehabilitation centers, two orthopedic workshops, two nursing schools and numerous pharmacies. It is affiliated with the International Red Crescent Society (Internet). Other grass roots NGOs include the Health Services Council, the Health Care Committees, the Union of Health Works Committees, and the Union of Palestinian Medical Relief Committees. "Each of these groups has close ties to one of the leading Palestinian political factions" (World Bank, Human Resources and Social Policy 1993, 24). This is a reflection of the political influence inside the Palestinian civil society.

The infant mortality rate in the area was persistently high, about 50–100 deaths per 1,000 in the early 1980s (Salman 1993, 20). Also, parasite infestation among the population remained a major public health hazard reaching 50% among school children (Salman 1993, 20). In 1986, the physician to patient ratio was as low as 8 per 10,000, compared to 29 in Israel and 22 in Jordan (Salman 1993, 20). In the early 1980s, a new movement developed at the grass roots level to bring the physicians and nurses to the rural areas instead of waiting for them to come to them.

This volunteer based movement involved men and women physicians, nurses and field workers. Without the positive influence of NGOs, private organizations, the UNRWA, and others these problems of health care would not have been addressed.

Services to the handicapped and the mentally ill in the Occupied Territories are inadequate. According to a World Bank report, about 30,000 handicapped persons lived in the Occupied Territories in 1990. Palestinian sources report that 43,000 people were injured between 1987 and 1993 in connection with the *Intifada*. These reports claim that, among these, 11,000 persons have suffered permanent physical damage. In 1990 there were 37 institutions for educating students with handicaps. One of these institutions is run by the Israeli Civil Administration, nine were run by foreign missions, and 27 more were privately operated, by NGOs or by for-profit organizations. They deal with problems of deafness, blindness, mental retardation, physical impairment and multiple handicaps. Little attention has been given mental health issues despite the tremendous growth in the prevalence of this problem since 1987. The Gaza Community Mental Health Program was established in 1990 to begin to confront the problem (World Bank, Human Resources and Social Policy 1993, 36).

NGOs and Social Work

Palestinian voluntary cooperatives and voluntary mass organizations are considered as part of the NGOs network in Palestine. They help fill the large gap pertaining to social services. The cooperatives' work falls under three categories: cooperative institutions, productive projects, and household cooperatives. All these categories emphasize job creation and self-reliance through production, but the production process in the household cooperatives takes place inside the private

homes and gardens; the other two categories are run by independent centers organized on the grass-roots level (Muslih 1993). The idea of the household cooperative represents the neighborhood idea, which fosters the needs of a compact local community. Larger cooperative projects fall under the small town idea and involve a broader economic framework with a nationalist theme. These cooperatives assumed an important role during the *Intifada* when the idea of economic self-reliance was fostered and the cooperative's action was a feature of associational life.

The voluntary mass organizations focused on social action. For example, the voluntary charitable organizations, including health and family planning organizations, societies for the orphaned, the handicapped, the elderly, and similar associations are generally all local private units, but sometimes they are affiliated with larger networks such as the General Union of Charitable Societies. The voluntary organizations are made up of doctors (including psychiatrists), lawyers, social workers, educators, and other professionals. These organizations offer financial, legal and psychiatric care, and moral support to many who were affected by the Israeli occupation. They also perform what is known in the West Bank and Gaza as underground social work. This involved helping those injured or wounded by Israeli soldiers, offering help to families of detainees, deportees, and those whose homes have been demolished by the occupation authorities (Muslih 1993). The voluntary groups in general succeeded in maintaining their autonomy against the efforts of the different political patrons, especially that of the PLO whose constituent groups follow a strategy based on direct control (Muslih 1993).

To these institution it is important to add the vast social network of the Islamist movement. Their instruments of action include mosques, schools, charities, clinics, and teaching circles in private homes.

NGOs and Education

The private sector's role in education is significant as well. Some 170 centers in the West Bank are run by voluntary organizations to combat significant problems of illiteracy among Palestinian adults. They also provide schooling for about 8% of the students, while UNRWA provides schooling for 31% of the students (World Bank, Human Resources and Social Policy 1993, xv). NGOs are responsible for 100% of preschool education in the area (Barghouthi 1994, 16). Research and Study Centers have also increased. The Center for Palestinian Statistics in Ramallah, the Center for Palestine Research and Studies in Nablus, the Palestine Center for Public Polls in Beit Sahour, the Jerusalem Center for Media and Communication in Jerusalem, the Data-Studies and Consultations in Bethlehem, and PASSIA, Palestinian Academic Society for the Study of International Affairs (Parliamentary Research Unit 1996–1997). Looking at the formation of civil society in Palestine through its most active period of the seventies and eighties, one will find a spectrum of these institutions have been established by many contradictory political forces. These forces represent the major Arab political organizations, other Arab countries and some foreign countries. Each politically motivated faction had an interest in supporting different constituencies inside the West Bank and Gaza. Some universities were built through donations from the Arab Gulf states, such as the Al-Najah University in Nablus, while others were built and sustained with PLO money, the most important is Beer Zait University which was built in 1972. With funds from the Vatican, the Christian Brothers built the Bethlehem University in 1973–1974. In Hebron, an Islamic college founded in 1971 added colleges of liberal arts (1981) and sciences (1986) which became Hebron University. Gaza University was built by the

Islamic Brotherhood in the middle 1980s as an extension to the Al-Azhar University in Cairo. An umbrella university was established in Jerusalem consisting of the Nursing College in Al-Bira, the scientific Institute in Abu-Dis, and the college of Religion and Islamic Studies in Bayt Hanina (Robinson 1997, 203). Other smaller technical training centers as well as research and study centers were built. The purpose behind this activity was to sustain the population as well as to indoctrinate it and to have political access in the country through them. Jordan was extremely active in the seventies in gaining support through institution building in its effort to win over the allegiance of the people in the Occupied Territories and to gain popularity over the PLO. But the major player was the PLO, which concentrated and worked hard to make its presence felt to thwart any plans of merger between the territories and Jordan.

NGOs and Human Rights

One component of civil society that is independent of political factionalism consists of Human Rights groups. Many of these formed either locally or in conjunction with international groups. Most important among these groups is the Ramallah based organization, Law in the Service of Man, "Al Haq," which is an affiliate of the Geneva-based International Commission of Jurists. It was founded in 1979 with the purpose of defending Palestinian human rights and promoting the rule of law in the Occupied Territories. It implements various programs, which include monitoring, documentation, research, and the construction of computerized database of human rights violations. It also contributes to a public law and human rights library, issues publications and provides free legal services for detained and jailed Palestinians. It is financed by its membership and by other international NGOs

(Internet). Al Haq has ties with Israeli human organizations like the Peace Now Movement and Betselem. Together they worked to report Israeli human rights violations. Many of their Israeli lawyers represent Palestinian prisoners at no charge. One such lawyer is Filicia Langer, an Israeli human rights activist who published several books documenting human rights abuses by Israel against the Palestinians (Langer 1979). Another local human rights NGO is the Jerusalem based Palestinian Society for the protection of Human Rights and the Environment, which has been active in searching for records relating to refugee property and in compiling a database of refugee properties in West Jerusalem as an effort to compensate or repatriate Palestinian refugees (Fischbach 1996). The Gaza Center for Right and Law headed by Dr. Iyad Saraj as well as the Palestinian Council for the Citizen's Rights, headed by Dr. Hanan Ashrawi, monitor abuses of the authority against prisoners and detainees.

Human rights groups played a role as educators to the population on political issues. After the Oslo agreement and prior to the first Palestinian legislative elections in January 1996, over twenty NGOs had a role in the democratization process in the West Bank and Gaza. Some of these are; the Palestinian Council for the Citizen's Rights and some Israeli NGOs as well, like Betselem. International organizations also helped in that process such as the Atlanta based Carter Institute, the Washington-based National Democratic Institute, Quakers NGOs, Amnesty International, United States Agency for International Aid (USAID), and International Foundation for Elections system "IFES." Conventions, workshops, and training sessions were held in universities and youth centers to educate and discuss many aspects of democracy, such as concepts of majority rule and pluralism. They helped the UN representatives in monitoring the elections as well (Hawkins 1995, 10).

The NGOs were political arms to different outside groups and remained affiliated with their respective patrons until their institutionalization in the early 1990s when they gained a considerable degree of autonomy. Two factors contributed to that independence. The first was the sweeping popular revolution of *Intifada* that forced the Israeli authorities to tighten their grip and to outlaw NGOs organizations with clear political affiliations and to imprison their leaders. The *Intifada* leadership was forced underground and was isolated from its popular base. Under these conditions, the more service-oriented NGOs became the only viable entities left in the sphere of civil society. This was one factor which led the NGOs to gain a degree of independence and more freedom in setting its priorities away from the political leadership (Hamami, February 1996).

The other factor in the institutionalization of the NGOs is the set of conditions imposed upon them by donor countries; namely, accountability, transparency, and long-term planning. Many donors gave their support in the form of hardware, such as computers, office equipment and other technology. Foreign donors also stipulated political independence of the NGOs, which motivated them to establish independent institutions and therefore achieved a certain degree of autonomy in their planning and prioritizing. The donor countries accelerated the transformation, thus the NGOs were changed from an ideological political movement to one concerned with development (Hamami, February 1996). Among the donors having an effect on this process were international organizations such as the World Bank. The International Monetary Fund (IMF) pressured the NGOs to make a change of focus in choosing their projects. New kindergartens, medical clinics and manufacturing projects replaced volunteer camps and popular works. It added a new dimension that concentrated on educational workshops, youth camps and vocational

training. Research centers were re-structured to become training centers. Therefore, the NGOs gradually disengaged from its general popular base and became more concentrated on a narrow and more specialized segment of society (Hamami, February 1996).

Even though the influence of the political players diminished in the NGOs sector, it remained strong in the other components of civil society, namely the labor, student, and women's movement.

Labor and Trade Unions

The Arab trade unions in Palestine have been a leftist stronghold, partly as a result of the organizing efforts of the Palestine Communist Party "PCP" in the early 1920s (Muslih 1993). The Palestine Trade Union Federation "PTUF" is among the oldest unions in the Arab world. The Haifa Railway workers formed a "railway club" in 1922 because the British authorities banned the Arabs from forming a union. By 1925 it became the Palestine Arab Workers Society which gained legitimacy under the mandate authorities. More than fifty unions joined the society, and by 1946, its membership exceeded 116,000 workers (Sa'd 1993). In 1946 the union published a newspaper in its Haifa headquarters, and in 1947 established a Palestinian Labor Party (Sa'd 1993). The union disintegrated after the establishment of Israel in Palestine and the large exodus of refugees. After 1948, the Jordanian government used communist influence on trade unions in the West Bank as a pretext to subdue attempts to revive the labor movement (Muslih 1993). Jordanian law prevented a "Palestinian" union, in its concentrated effort to diminish a separate Palestinian identity. Accordingly, its name changed to "The Jordanian Labor Union." One of the problems that prevented a strong union is that Jordanian law allows any group of 21

workers to form a union. This resulted in multiple uncoordinated groups lacking the power to negotiate forcefully on behalf of themselves. In Gaza, Egyptian authorities imposed a ban on labor union organizing until 1956, after which six labor unions emerged with branches throughout the strip (Muslih 1993). Moreover, labor was also limited under the occupation.

After the Israeli occupation of the West Bank and Gaza in 1967, Israel suspended all organized societal activity. In the West Bank, communists reorganized the unions during the early 1970s and remained in almost full control of the labor movement until the late 1970s. In Gaza, no labor organizing took place before 1979 because of the Israeli ban (Muslih 1993). The movement was subjected to Israeli pressure including imprisonment of its leadership and closure of its offices in Jerusalem (Sa'd 1993). All the labor unions that were organized in the period under the occupation worked illegally. The Israeli administration only sanctioned the unions that existed under Jordan before the occupation (Abu-Amr 1995). Just like every other institution of civil society, the labor union became a fertile ground for political organizations to recruit and infiltrate.

The municipal elections in 1976 opened the opportunity for the labor movement to be represented. Israel allowed these elections to be held for the second time only since the occupation (Kawar 1996). "The PLO had boycotted the elections in 1970 as a policy of no-cooperation with the occupation who dictated the eligibility of the candidates and demanded security clearance from the Israeli police of each candidate" (Sa'd 1993). The PLO began to focus its attention on the Occupied Territories in the mid- to late-1970s. They participated in the 1976 municipal elections with full force. It formed a national bloc for its candidates and won 18 of 24 seats. The PLO's growing influence resulted in sharp rivalries over control of the

labor movement that culminated in major division between the Fatah group and the Communist party. Two leftist PLO groups, the PFLP and the DFLP benefiting from their alliance with the communists, took advantage of the rivalry between Fatah and the PCP and were the first to take charge of the labor organizational work (Muslih 1993).

Determined to break the leftist hold of the leftist groups, Fatah mobilized its resources in what became to be known as the “war of the institutions” in the late 1970s and early 1980s. The competition for control was so intense that local grass-roots activists acting on behalf of the PLO split off to set up parallel labor organizations of their own. A major split occurred in 1981 when two separate General Federation of Trade Unions emerged, one dominated by the Left and headquartered in Nablus, and one controlled by Fatah and headquartered in Ramallah. In the end, Fatah prevailed in a coalition that was formed among the different political factions. By the early 1990s, the Fatah supported units represented 70% of the membership in the executive organs of the Palestinian Federation of Trade Unions (Muslih 1993). The division was mended under the *Intifada*, which reunited all the efforts in the uprising against the occupation. But the effect of the labor union on the general labor conditions is limited by the fact that Israel is the major source of employment and the union does not have the authority to negotiate on their behalf inside Israel nor does any Arab lawyer have the right to represent them in Israeli courts (Abu-Amr 1995). The union resorted to international mediation to solve some of their problems.

In a report submitted to the International Labor Organization, “ILO,” the labor force in Palestine is estimated at 390,000 of which one third work inside Israel (Sa’d 1993). The report states that deductions are made from this group’s salaries for

benefits that they do not receive. Fees amounting to 14% are applied towards annual labor fees to the Israeli labor union's national insurance, the Histedroute. The Arab workers also pay an Israeli income tax as well as a social security tax. This is in spite of the fact that they get none of the benefits the Israeli laborer gets because they are not Israeli citizens. These deductions amounted to \$2 billion by 1989. In addition, the minimum wage is much less than that of the Israeli citizens. The per capita income for an Arab worker is \$2,800 compared to the Israeli worker of \$12,100. A complaint was filed with the ILO regarding those benefits but the international organization failed in its request to gain any results from Israel (Sa'd 1993). Some retribution came after the peace arrangement between the PLO and Israel. Under the Paris Agreement in 1994, which dealt with commerce and trade, Israel agreed to open a trust with the money deducted for the national insurance fees, effective beginning with the agreement date only (Sa'd 1995). The PA became in charge of that account. But the major problems for labor are the high rate of unemployment and the constant border closures.

The high level of unemployment is tied to the general conditions and the extreme dependency of the Palestinian economy on Israeli employment. Unemployment averages 35% and increases significantly with the constant border closures that Israel exercises as security measures, and mostly as punitive measures in the aftermath of a violent act committed by Palestinian extremists. Oussama Kanaan (1997) reported that Israel has cut the number of permits it issues for Palestinians to work in Israel in half—from 120,000 in 1993 to 60,000 in 1997. Kanaan also cited figures that showed the per capita gross national product (GNP) in the West Bank and Gaza was declining 20% between 1993 and 1996. Border closures cost the Palestinian economy \$4–6 million a day, a figure that does not reflect the dramatic

decline in private investment brought about by the closures (Kanaan 1997). It is reported that 23% of the daily losses are to the daily wage workers (Sa'd 1993). The same problems that face the labor movement is reflected on the future labor force represented in the student body.

Students' Movement

Students in the West Bank and Gaza comprise about one fourth of the population, something that gave them leverage in leading the national movement over generations, especially with the spread of universities across the country in the 1970s. Education became accessible and not limited to the elite families who could afford to go abroad for higher education. Instead it was open to the poor segments of society including those in the refugee camps.

An important social transformation followed these developments and a new elite class emerged on the scene, one with more nationalistic ideologies and more inclination to mobilize itself and the whole society for the goal of independence and liberation. Like every other aspect of civil society in Palestine, the student movement was drawn along political and nationalistic lines. It was an open stage for the different political parties to recruit and organize.

For nearly a decade after the Israeli occupation in 1967, the Communist-affiliated Jordanian Student Union "JSU" was the primary student political organization in the Occupied Territories. JSU's only rival was the General Federation of the Students of Palestine (GFSP), founded in 1959. After 1967, the GFSP became increasingly more associated with the George Habash's radical PFLP and was subsequently banned by Israel in 1969 (Robinson 1997). JSU had no rivals in the late sixties and the seventies because of two factors: First, the PLO had not yet started its

concentrated political organization and institution building inside the Occupied Territories. The second reason is that Israel allowed the activities of the Communists because they accepted the notion of a two-state solution to the Palestinian problem and renounced armed struggle as a solution to the conflict. (Robinson 1997).

Although the Communist party joined the PLO in 1968, it did not hold a seat on the Palestinian Legislative Council until 1987 (Robinson 1997). When the PLO later recognized the need to organize inside the territories, the nationalists then became a more active student power rivaling the Communists. The PFLP and the DFLP followed by Fatah formed organizations among the student body. "As was the case for all mobilizing organizations, Fatah's entry in the student blocs was the last to form and the least organized, but it was the best funded and had the most participants" (Robinson 1997, 22). In the early 1980s, the different PLO groups banded together to counter the growing Islamic student bloc which was then encouraged by the success of the Iranian Islamic revolution. With the exception of the Islamic University in Gaza, the secular PLO blocs dominated the students' elections everywhere in the Occupied Territories. "Politicized Palestinians coming out of local universities constituted the core of the new Palestinian elite and provided the catalyst for social and political change in the Occupied Territories, from the building of mass organizations to the *Intifada*" (Robinson 1997, 27). A change from the old patterns of leadership emerged.

The leadership of the student groups came from among those who had been in Israeli prisons and released in the seventies. Since students were held in the same detention centers, this enabled them to forge ties, alliances, and strategize (Robinson 1997). The student groups later played a major role in the *Intifada*. The potential and capability of the student movement led the Israeli authorities to close all schools and

universities repeatedly and for periods that sometimes reached an entire academic year. Nevertheless, covert “illegal” classes took place during these closures through the volunteer effort of popular committees.

On February 3, 1988, Israel ordered closed until further notice all schools in the West Bank “because they had become centers for organizing and stimulating violence.” The closure affected all 611 kindergarten and elementary schools, 321 middle schools, and 262 secondary schools. Within a week all East Jerusalem schools were also closed, thus over 1,200 schools and more than 300,000 students were affected. Expecting occasional brief openings, the schools remained closed throughout 1988. On January 1989, all West Bank schools were ordered closed until further notice. They were allowed to open eight months later. (Robinson 1997, 101–102)

In 1990–1991 school days amounted to 35 actual days out of 210 scheduled days.

The schools in Gaza did not experience the kind of formal closures that prevailed in the West Bank but they were subjected to frequent spot closures (Robinson 1997).

The students’ movement became the center of national politics and social mobilization. “The origins of the voluntary mass organizations can be traced to the mid-1970s, when students formed voluntary work committees in Nablus to clean up the old quarters of the town” (Muslih 1993). Students also volunteered to work for farmers to substitute for rural workers who worked in Israel as unskilled day labor. The voluntary activities were emphasized among the student groups to a degree that Beer Zait University requires 120 voluntary work hours as a prerequisite for graduation (Abu-Amr 1995). Students also hold cultural and artistic events that promote the national and cultural heritage.

Women’s Movement

Most of the women’s organizations branched from the General Union of Palestine Women “GUPW.” Its roots go back to 1919 when the first union was founded as a charity organization. GUPW’s emphasis expanded to better serve

women in areas of education and training for self-reliance and independence. It is active in efforts to promote the economic status of women and making women a more effective part of society. It encourages and subsidizes cooperatives and income generating projects. GUPW assists in educating, mobilizing, managing and marketing the produced goods. In recent years, women have been able to receive loans from GUPW and other women's NGOs which promote the creation of small business enterprises, vocational and technical training in areas like sewing, typing, and hair-dressing. They help teach a second language, usually English, and office jobs. They encourage and subsidize women in rural communities in agricultural development, food storage, food preservation and growing vegetable gardens. They also encourage education and discourage early marriages which result in school dropouts that occur at an alarming rate in the countryside ("Women and the Development Challenge" 1995). Opportunities for women's groups to gain political empowerment came in the 1970s when women were drawn into the political nationalistic lines.

Two factors helped Palestinian women gain better status in society. The expansion of educational centers and universities was the main reason behind change. The expansion of universities in the late seventies increased women attendance up to 35% of the total student body (Salman 1993, 16). UNRWA reported that the percentage of girls to boys attendance in schools improved from only 26% in 1950, to 49% in 1988, while women enrolled in universities increased to 41% in 1993 (Salman 1993, 20). What facilitated their attendance is the location of these colleges being positioned close to all major cities. Women now became part of the mass organizations developed on university campuses. The other main factor is the 1976 municipal elections and the opportunity it offered women. Research conducted by Amal Kavar, in her book *Daughters of Palestine*, traces the history and the nature of

the women's movement in Palestine. The research pinpoints the year 1976 as a turning point for these movements' transformation from the charitable organizational nature to a women's political movement.

The women were allowed by Israel to vote in the 1976 municipal elections for the first time since the Jordanian law did not allow them to vote before. Israel was under the misguided assumption that women would vote for the old conservative leadership represented by the old elite families that were more complacent with the occupation, a prospect agreeable to Israel. Surprisingly, women voted overwhelmingly for a progressive unconventional leadership. It was the students' and the labor unions that recruited and mobilized the women to vote along these lines. With a new political awareness, the women's groups realized their need to shift from charitable work to political mobilization as well. The significance of this shift is the empowerment that they gained as a political bloc. According to Hind Salman in her research for the UNTAD, the methods adopted by the new generation of women in these new groups did not differ from those of the charitable organizations. Some methods involved the establishment of nurseries, day care centers, training programs, literacy centers, workshops and cooperatives.

The major difference lies in the attitude of the people who supervise such projects and their objectives. Their level of political consciousness has an effect on that of the participants, and in giving them self confidence through shared decision making, decisions by vote, the holding of elections, deciding on common agendas, etc. (Salman 1993, 19)

Women, as a group, now possessed political efficacy. The different political groups recruited and organized the women into their own ideology: Fatah, the major PLO faction, supported The Women's Organization of the Social Works Committee, which was established in 1978. It has an open general ideology and its focus is on recruiting housewives who make up 75% of its membership, which was estimated in

1990 at 8,000 women. Other factions are leftist groups that concentrate on students, labor, and the educated intellectuals. The DFLP, a leftist group, is the largest of all the groups, with a membership estimated at 10,000. They established the Union of Women's Action Committees in 1978. Another leftist group is the PFLP, which established The Union of Palestinian Women's Committees in 1981, and has a membership of 6,000 women. The People's Party organized a communists women's group called the Union of working Women's Committees, with a membership of 5,000, focused on working women and students (Kawar 1996, 102). The last group is the Islamic Fundamentalist group Hamas, whose focus is on building kindergartens, schools and clinics. Not much is known about the role of Islamic women because they are generally tentative and very secretive. Organizing women in Gaza was a difficult task due primarily to its geographical distance from the West Bank and due to the restrictions on their mobility by the strong Islamic tradition in Gaza. Notwithstanding, women even in Gaza contributed to the *Intifada*.

The women's role was reinforced during the *Intifada* when all the major women groups formed the Higher Council for Women "as an expression of national unity and toward a more consciously feminist analysis and discourse" (Salman 1993, 43). The women's groups were instrumental in providing social services to a sector of the economy that was hard hit by the occupation, such as families of people killed or imprisoned under *Intifada*. The council coordinated the activities of the different women groups that were affiliated with different political factions. It was instrumental in the dialogue for the peace process by connecting with Israeli Women NGOs and other Israeli NGOs like the Peace Now Movement (Ashrawi 1995). During the first two years of the *Intifada*, when the work of these co-ops was flourishing, the Israeli military order banned all popular and neighborhood

committees (Abdo 1994). These activities as well as many other activities, including high level education, became underground.

Although the relative improvement in women's conditions did not reach equality with men or erase the gender-based sexual division of labor, it is still considered to be revolutionary in relative terms. Nevertheless, all these achievements of the Palestinian women should have earned them a better status after the arrival of the national government.

CHAPTER V

PALESTINIAN AUTHORITY: BETWEEN PEACE AND LEGITIMACY

Introduction

Throughout the definitions of civil society we have witnessed that the most important dimension of civil society which supports democracy is the existence of social institutions and organizations that are independent of the state and that define a separation between society and the state. However, as demonstrated herein, a multitude of various institutions and groups existed in the Occupied Territories. The independence that the civil society institutions enjoyed before the PA has suffered a major setback due to different reasons. This retreat cannot be separated from the overall condition of democratic practices—whether in the Arab world in general, or in the Palestinian case in specific.

The absence of democracy in the Arab world is a lack of fundamental human rights; such as rights for a decent standard of living, economic and social rights and just distribution of resources (Bishara 1993). Arab intellectuals in general are ever trying to reconcile the ideals of democratic practices with the purity of the Islamic heritage. Even the Islamists have different schools of thought that range between radicalism to liberalism, those who suspect secularism because it separates religion from government and fear that democracy will replace God as the origin of legislation, the Shari'a, with man-made laws (Bishara 1993). On the other hand, another Islamic school of thought led by Turabi, of the Sudani Islamic Front, takes a

very liberal view and even encourages the democratic option as a solution to end unwanted Arab dictatorial regimes. It also calls for the building of civil society institutions to create a buffer between the dictatorial regimes and the individuals as a social unit (Bishara 1993). The democratic crisis in Palestine is part of the crisis of the Arab world in general and the study of democracy as a liberal ideal attracted much attention in Palestinian society in the years following the *Intifada*. Many workshops, publications and institutions were established since. However, because of its unique political situation, the crisis of democracy takes on new dimensions beyond the problems that are plaguing the Arab World. The question arises as to whether there is tension in the relationship between the ideology of religion and the ideology of nationalism. "Since the onset of the British occupation, the ideological thrust of Palestinian nationalism has been consistently secular" (Muslih 1993, 273). The current opposition is centered in an Islamic political faction, not in an Islamic ideology. Islam is used as a base to recruit the masses in a strictly political struggle. If the peace process has produced what it had promised to deliver, the Islamists would have continued to build on the religious and social aspects of Islam. The center of controversy now is the crisis of legitimacy that the PA suffers as a result of its peace settlement with Israel.

Peace and the Crisis of Legitimacy

The conditions in the West Bank and Gaza since the PA assumed a limited authority in the region reveal that "peace making with Israel has been the most effective factor affecting national reconstruction and the transition to democracy" (Shikaki, Winter 1996, 8). The peace accord and subsequent agreements have limited the ability of the PA to foster a cohesive state. The PA is unable to create an

environment where democratic institutions can be realized. A vibrant and flourishing civil society is essential in providing the right conditions in the transition to democracy. These conditions can be achieved through public elections that ensure the right of the opposing political factions, constitution building, freedom of the press, protection of human rights, enforcing the judiciary and due process as well as guaranteeing the separation of powers to maintain the balance against authoritarianism and corruption.

Dr. Khalil Shikaki explains that national reconstruction is a process concerned with, first, building a national and sovereign authority and national institutions as well as gaining political and economic independence. Secondly, it focuses on the establishment of a legitimate political system built on national consensus (Shikaki, Winter 1996).

The Declaration of Principles (DOP), also called Oslo I, was based on three main principles: A “Gaza first” option; a “mini Marshal plan” for the West Bank and Gaza, in which the international community will help the economy of the West Bank and Gaza through aid and investment; and finally, a massive economic cooperation between Israel and the Palestinian interim authorities. The latter two conditions are vital to the success of the peace process, but as the process developed, it was evident that did not materialize.

The wording of the DOP provides that “the jurisdiction of the Palestinian self-governing council will cover the West Bank and Gaza Strip territory, except for issues that will be negotiated in the permanent status negotiations, which will cover remaining issues including Jerusalem, refugees, and settlements” (Peres 1995, 287). It is based on concluding peace on different stages: it provided a framework for an interim period prior to a permanent settlement which will be agreed upon during the

negotiations on final status which were due to start on May, 1996. The final stage of negotiations is to be conducted according to the principles of UN Resolutions 242 and 338. A declaration of principles was to follow, and initial transfer of autonomous powers, early empowerment, will begin upon the signing of the document in five areas: education and culture, health, social welfare, direct taxation, and tourism, as well as other responsibilities that are agreed on. Elections will be held in the Occupied Territories within one year of the its implementation to give legitimacy to the PLO in their representation of the Palestinian people. The permanent status negotiations are to start no later than the beginning of the third year of the interim period, between Israel and the Palestinian people representatives, and does not say if these should be from the elected council (Peres 1995).

It is critical to understand that Oslo I is only a “Declaration of Principles” and not a binding agreement or treaty between the two sides. This has serious implications in the light of the loss of the Labor party to the Likud and the change of government in Israel in 1996. The new government has the right to renegotiate freely with the PA in the interim period on the final status of the autonomy and the peace process as a whole. The structure of the peace settlements created a crisis of legitimacy for the PA, which is evidenced in four areas: elections, governance, sovereignty, and the economy.

Elections

After signing the peace with Israel, thereby provoking a front of political opposition, the PA needed a foundation of legitimacy among the Palestinians in the West Bank and Gaza. The Oslo Accord called for holding elections of a Palestinian Legislative Council, PLC. Winning the elections and marginalizing the opposition

became imperative to the PA and Arafat in their effort to establish that legitimacy.

“Elections should not be seen necessarily as the start of transition to democracy but rather in their role of nation building and peacemaking” (Shikaki, Spring 1996, 17).

This point of view explains the manipulation of the elections and the violations that took place in order to give Arafat and his Fatah party a clear win that would gain him the legitimacy he needs to finalize and legalize the de facto peace with Israel. “For the Israelis, because the Palestinian issue is the crux of the problem, Israel did not want to make peace with a narrow leadership, but rather with a legitimate government that represents the majority of the Palestinians” (Shikaki, Winter 1996, 32).

The elections were held to elect the 88 member council empowered under Oslo II to enact “primary and secondary legislation, including basic laws, regulations, and other legislative acts” and for the president of the executive authority (who will form a cabinet from among the council’s elected members) (Shikaki 1995, 16). The high turnout of 79.7% of the 1,035,000 registered voters in the January 1995 elections in the West Bank and Gaza Strip showed a popular desire for participation in the political process and in building democratic institutions, thus deciding the Palestinian future. Turnout in Jerusalem was only 40% because of Israeli police interference in preventing the Arab population from voting (Shikaki, Spring 1996). The opposition groups votes represented 19% with Hamas group representing 7% although their overall support is 12% (Shikaki, Spring 1996). Hamas had called for a total boycott of the elections, but the majority of its supporters insisted on participation (Shikaki, Spring 1996). Elections were a set back for the women’s movement. Only 5 of 23 women candidates won. One explanation for that is the political factionalism that divided women among different parties where the leadership rested with men and women followed (Shikaki, Spring 1996).

The way that the elections were run suggests that Yasir Arafat, as the head of the PA, planned concentration of power within a one-party rule, his Fatah party, with token representation of other political factions. Even Fatah leaders who were critical of Arafat or who had a strong power base within the movement were excluded from official lists (Andoni 1996). Many Fatah officials ran independently because they were excluded in favor of less deserving candidates for political reasons. Others criticized Arafat for rewarding opposition defectors at the expense of Fatah rank-and-file (Andoni 1996). A month before the elections, the Fatah Central Committee issued a statement asking "independent Fatah" candidates to withdraw, promising them positions in the PA in return. Those who did not comply did not receive the \$10,000 from the Fatah party for their campaigns (Andoni 1996). Evidence of violations at many polling stations including missing ballot boxes and calls for a re-vote were expressed by many NGOs leaders and human rights organizations whose representatives were excluded from the vote counting by the Palestinian security forces. A recount was forced in some areas in favor of Fatah candidates. Because the elections represented the key to granting the PA a much needed legitimacy, some Palestinians accused the international observers of bias in favor of the PA to ensure the success of its peace treaty with Israel (Andoni 1996). Interference by the security police outside and inside the polling stations was reported as well. Some candidates even chose undercover security officers to be their representatives in the polling station, and interventions by committee officials to influence the voting, especially of illiterate people, all in clear violation of the election law.

The election law was fashioned after the Jordanian election law of 1933, which allowed voters to vote by district, rather than on a national agenda. This encouraged the clan-based and local representatives with a strong local government

connection. It was also based on a simple popular majority system where the one with the most votes wins (Shikaki, Spring 1996). In spite of the fact that this arrangement ends the quota system, it was criticized by the smaller opposition groups because it failed to ensure the representation of the smaller parties. While the old quota system was dismantled, six seats out of the total 88 were allocated to the 70,000 Christians in the area, as well as one seat for the Samaritan Jewish sect residing in Nablus (Andoni 1996). It was hoped that a “third bloc” would emerge from a forged alliance among the different opposition groups to situate itself between the ruling party, Fatah, and the major opposition party, Hamas, but that did not materialize (Shikaki, Winter 1996). Many of those opposing the majority system advocated a proportional representation system of countrywide voting that would allow all political factions to be represented in the council (Shikaki, Winter 1996). This would have opened the door for coalition building and encouraged a political culture based on debate and wide-based participation. Eligible voters’ names were to be approved by Israel under the Oslo II agreement. Many voters failed to find their names at the assigned polls and were prevented from casting their vote.

Governance

The basic foundations for the mechanism of democracy does not exist under the Oslo agreement. The tenets of democracy rest within a constitutional framework, a representative legislature that enacts laws according to the constitution, separation of powers among the branches of government, and judicial oversight.

According to Oslo, the Israeli Civil Administration was to be “withdrawn” but not “dissolved” as the Palestinian delegation pushed for, since the Israelis insisted that the military government would remain the source of authority in the territories

(Peres 1995). Oslo regulates that any changes to the existing agreement made by the PA are null and void. All legislation should be communicated to the Israeli side, which has a veto power, and has to be congruent to the Israeli military law that still governs the territories (Shuqair 1996). The Palestinian Legislative Council (PLC) is essentially without any powers, primarily because there is no legal framework to supply a point of reference. In the absence of a constitution, the council adopted and approved a constitution draft (Basic Law) to function as one in the transitional period, but that has not been approved by Arafat yet as is required by law. "The council has no real decision-making powers or say in matters with real relevance for Palestinian political life; such as negotiations with Israel, the settlements, etc. (Bishara 1997, 69). While legislation was perceived synonymous with sovereignty, the declaration restricted the future elected Palestinian national council to one single body—intended as an executive body—and to limit its legislative functions to bylaws and regulations. Even though Arafat and the PA went into great lengths to hold the parliamentary elections, the elected council's role is marginal. The PLC was elected as part of the PA for the interim period as agreed upon in the Oslo I agreement. Some political analysts claim that the purpose behind the elections was political: "The precondition for proceeding with the redeployment beyond the first stage of Gaza and Jericho was for the PA to conduct elections for the PLC" (Abu-Amr 1997, 93).

Ziad Abu-Amr, an elected member of the council, states "that the council failed in two main objectives: to enact substantive legislation and to exercise oversight over the executive authority" (Abu-Amr 1997, 90). He adds that

the PLC has discussed and adopted five draft bills, including the Basic Law, a Civil Service Law, a Local Government Law, a Currency Law, and a Local Government Election Law. Only the last one, which involves a one time event, has been ratified by the PA president, a necessary procedure before any legislation can become effective. (Abu-Amr 1997, 90)

As for the oversight function of the Council, Abu-Amr states that a number of resolutions have been sent to the president to ensure the separation of powers among the legislative, executive, and judicial branches of authority. All have been unanswered. The government is plagued with a “confusion of functions, entirely consistent with the PA President’s individualistic leadership style” (Abu-Amr 1997, 91). In the area of judiciary functions, Israel extended the period of administrative detention, arrest and prison with no right to a lawyer, from six months to one year (Shuqair 1996). The PA President has the power to appoint and to fire the judges. The law that deals with the independence of the judiciary has not passed yet, and the high council that appoints judges is still not in place (Ashrawi 1997). Ashrawi added that the law stipulates that 80% of the members of the cabinet must be from the council, which sometimes creates tension, yet each body must carry out its mandate separately. Abu-Amr blames Israel for sometimes refusing to allow the Gaza Council members from arriving to the PLC sessions and in effect preventing a quorum from being realized (Abu-Amr 1997).

The PLC passed other resolutions concerning areas of security and the establishment of monitoring mechanisms to control the eight different security services whose jobs overlap and sometimes compete against each other. Other resolutions dealt with governmental financial practices but failed to have the PA to submit a budget. The Council has even set up a fact-finding committee to investigate over ten deaths of political prisoners who died under torture (Abu-Amr 1997). The PA claims that it is faced with a reality that the requirements of nation building contradict democratic principles, something that made the PA convert a large proportion of the donor funds to establish eight different security groups, drastically raising the number of security forces from the number agreed upon under the Oslo

agreement. The Jericho municipal council resigned en masse in February 1995, citing corruption as one of its reasons for doing so (Brynen 1995). A special investigation committee on corruption created by Arafat urged the President to fire a large number of his cabinet ministers for misappropriating funds that equal 40% of the PA's 1996 budget, totaling \$326 million (*Jordan Times*, July 22, 1997). Other accusations of nepotism, cronyism and corruption are pointed towards the PA.

Sovereignty

One of the major obstacles in the peace negotiations is the lack of balance of power between the two negotiating teams. The disadvantaged Palestinian team negotiated the peace settlement before the elections of a legislative council or any kind of representation of the Palestinian people, inside or outside the territories. The Israeli negotiating team insisted on eliminating the word "national" rights from the text of the agreement, but agreed to "political" rights (Peres 1995). The declaration also stressed that the redeployment of the Israeli forces first in Jericho and Gaza and later in the whole West Bank is a matter for Israel's sole discretion, and may consult with the PA but does not have to be in agreement with them (Peres 1995).

Oslo I was followed by the Cairo Agreement in May 1994, two agreements on transfer of power in August 1994 and August 1995, and finally Oslo II, the Israeli Palestinian Interim Agreement on the West Bank and Gaza Strip in August 1995. The Cairo Agreement stipulated that neither the PLO nor the PA would be allowed to keep diplomatic missions inside or outside, or to undertake diplomatic work of any kind (Karmi 1996). Oslo II has superseded the three previous agreements. According to the provisions of Oslo II, Israel retains direct control over most of the Occupied Territories. The PA has territorial control over 1% of the Occupied Territory, has

joint control over 27%, while Israel has exclusive control over the remaining 72%. No sovereignty is extended to the PA on land, security, settlements, refugees, water or foreign policy. The PA assumes the responsibilities of the Civil Administration, the Israeli bureaucracy that conducted the occupation of the Occupied Territory, but has no right to grant residency or visitor's permits. No permits for water use are issued by PA either (Shuqair 1996). The small geographical area under Oslo could become contiguous and larger, over three six-month periods, to resemble a Palestinian sovereign entity. This is if the PA complies with Israeli security needs that include the personal security of 300,000 settlers in 130 settlements. Should the PA fail to deliver on Israeli security, Oslo II's second contingency comes into effect: Israel has the power to reenter anywhere in the West Bank and Gaza to ensure its security, including the eight autonomous regions (Usher, Spring 1996).

Major issues have been deferred to a later stage. According to Oslo II, the final stages of negotiations were to have started in May 1996, but were postponed pending the Israeli elections. Among those is the critical subject of Jerusalem, the Israeli settlements, final borders and territorial issues including the water rights.

Peres wanted Jericho to become the administrative center of the autonomous region against the insistence of the Palestinians to have East Jerusalem as the seat of the government (Peres 1995). It was agreed at Israel's insistence that Arab residents from Jerusalem can only vote but are banned from running for elections of the Palestinian council.

The question of the Palestinian refugees who were expelled from their homes was compromised and a major portion of the Palestinian population is excluded from any future rights. UN Resolution 194 states that the refugees have to be repatriated: "restoration must, as far as possible, wipe out all the consequences of the illegal act

and reestablish the situation as it stood before the act was committed” (Quigley 1996). Also after the 1967 war, Resolution 237 called on Israel to allow the Palestinians displaced in that war to return. Resolution 242, as well as resolutions by the UN Human Rights Commission, also calls for a just settlement of the refugee problem. Under the peace settlement, Israel announced that no refugees before the 1967 war have the right of return or of compensation, something it declared is the responsibility of the international community (Shuqair 1996). It might accept a limited number of post 1967 refugees, not on the basis of rights, but on the basis of family reunification. Israel’s argument is that the refugees have no right to return under human rights laws because they are not Israeli citizens.

Israel controls the roads between the major Palestinian towns and villages preventing a connected economy and social continuity. It completely controls some 400 Arab villages as well. The facts on the ground as such established by the Israeli government preempt any future provisions of the agreement. In progress is the building of 26 by-pass roads to link the settlements in a grid-like arrangement at a cost of \$350 million and the establishment of 62 new Israeli army bases on the entries and around Palestinian enclaves. Under way is the building of a 2 kilometer “buffer zone” to run across the 350 km separating the West Bank from Israel; entry is allowed from 18 entry points at a cost of \$80 million (Usher, Spring 1996). This is detrimental to the economic development of the Arab areas and the freedom of movement for people and goods. The 9% of the West Bank and Gaza that the PA controls are now in separate and disconnected cantons (Usher, Spring 1996).

The Economy

Following the September 1993 meeting in Oslo, a donors' conference was held in Washington, D.C. in September 1994 in order to mobilize international support for economic and social development in the Occupied Territories. To that end, participants pledged about \$2.4 billion in financial assistance for the period 1994–1998. The donor countries asked the World Bank to provide a detailed study to use such assistance effectively. In preparation for that report, a World Bank mission visited the area. The mission represented donor countries as well as United Nations organizations like the United Nations Relief and Works Agency, UN Development Program, World Food Program, International Monetary Fund, and the UN Children's Fund. Extensive contacts were maintained with local and international NGOs active in the Occupied Territories. The mission's findings were compiled into a two-volume document which described the main issues affecting the various sectors in the Palestinian economy and presented proposals for investment and technical assistance needed (World Bank, Emergency Assistance Program for the Occupied Territories 1993, vii). To help boost the economy, Peres implied indirectly that mutual economic cooperation between the PA and Israel could mean the building of desalination plants, a harbor and an airport in Gaza, and an oil pipeline terminal. Other plans included free trade and large investments in the territories. The new Palestinian entity was to be the new "Singapore" according to the donors' predictions.

It is obvious that the promise of economic progress and measures of prosperity were incentives for the PLO to moderate its position and to compromise on political issues. They were also responsible to a large degree for the initial public

support even among the opposition groups. The failure to deliver on these promises shook the legitimacy foundation of the PLO and generated an atmosphere that encouraged dissent and violence. The reasons behind its failure could be summed as follows.

The most frequent criticism heard of the Palestinian assistance program has concerned its slowness. The PA explained the slow delivery of aid as a source of political pressure put on it by the international community. Larger aid projects were subject to lengthy bureaucratic planning by the donor countries based on their priorities. Moreover, they considered it a drain of aid resources to continue funding the PA administrative costs and hoped that these would be financed through Palestinian revenue-generating sources like taxes. Some donor country funds were slowed down by legal restrictions. In the United States, congressional suspicion of the PLO caused friction between them and the USAID program which was bent on delivering aid faster and for long-term projects that may not be politically visible. The USAID finally revamped its program under the State Department pressure. Previous long term institution building projects in health and housing were cut significantly, as was support for Palestinian NGOs; instead, more rapid job-creation projects were supported in the areas of public works and short term projects. Another major donor, Japan, was limited by legislation and excluded the PA from their assistance for not being an international organization or a recognized state. Instead, it started channeling assistance through the UN agencies (Brynen 1996). There was also competition among donor countries in their choice of projects as far as political visibility, prestige, and economic benefits. The rivalry between the European Union and the United States over their role in the peace process characterized much of the

1993–1994 with the EU insisting on a bigger role to match its financial commitments (Brynen 1996).

The PA was responsible in different other ways for the inefficiency and the lack of accountability on its part. The emerging authority faced serious problems of institutionalization, which inhibited its ability to formulate economic policy and severely slowed the delivery of assistance. Appointments were based on political favoritism and nepotism and used as political rewards. Arafat's style of leadership concentrated power in his person and his intimate circle, which is charged of corruption, bribery, and influence peddling. As a result, confusion in job description and lines of authority ensued and the bureaucratic structures became personal power bases competing with each other and with preexisting NGOs (Brynen 1996). Strong tension exists as well between the new leadership that came from Tunis and the local leadership. Central economic planning was first entrusted to the Palestinian Economic Council for Development and Reconstruction (PECDAR). This role was later confused with the formation of three separate PA economic ministries who competed among each other as well as with PECDAR. Donors' meetings sometimes would get confused over which of these groups represent the PA. These and other concerns caused the donor countries to suspect the financial accountability and transparency within the civil service and of operating a "shadow budget" without the knowledge of the donors (Brynen 1996).

Basic to this evaluation are the economic incentives that were also promised by Israel in its "mini Marshal plan" for the Occupied Territories, which enticed the PLO into such a deal in the first place. Four years after the historical breakthrough is a reality that is in sharp contrast to these promises. Actually the situation has deteriorated to pre-declaration levels due mostly to the border closures that

sometimes shut down 80% of the Palestinian labor force to their desperately needed jobs in Israel or to the industrial zones that straddle the Israeli-Gaza border (Usher, Spring 1996). The border closures and the astronomical rate of unemployment creates an extremely negative environment towards the PA and the peace process. Dissent had to be controlled by suspending civil liberties and violating basic human rights. A large portion of the donor's money was diverted from economic development to create police and security agencies to stem the unrest and the opposition activities. The PA was transformed from the dream of a liberating democratic force to a police state perceived as an extension of the Israeli occupation policies.

The Oslo agreement ties the Palestinian economy to that of Israel and is dependent on the Israeli job market as a source of employment for a large sector of the Palestinian unskilled labor force, especially in Gaza. These jobs are mostly construction oriented or agricultural. Punitive border closures in the wake of violent acts against Israel virtually paralyzes the Palestinian economy, which is an irony since Israel itself was never able to stop these violent attacks launched against it before it handed these territories to the PA to administer. This leads many political analysts to assume that this is precisely the goal sought by Israel behind Oslo: "having the PA to do the job Israel failed to do itself" (Bishara 1997, 69). The Palestinian economy is almost totally dependent on Israel for trade; almost 90% of imports are from Israel and 70% of exports are to Israel (World Bank, *The Economy* 1993, 18).

The economic dependency was further consolidated by an agreement concluded between the PA and Israel in 1994. The Paris Agreement conducted between Israel and the PA regulates the economic life and the external Palestinian trade that requires tight policy coordination with third parties. It is based on a custom

union between the two sides: free movement of goods and individuals, open border corridors to Jordan and Egypt subject to Palestinian control, building bonded areas for storage, establishing Palestinian companies for custom clearance, and taxing custom duties. The Israeli side did not turn the control of the border corridors to the Palestinian side, restricting trade with both neighboring Arab countries, Jordan and Egypt. Imports from Israel which amount to an annual \$2.2–2.4 billion, while exports to Israel were between \$300–400 million. Custom's duties on trade with Jordan or Egypt increased four-fold since 1967. Imports from Jordan did not exceed \$20 million while exports are around \$18 million annually. Imports from Egypt were \$40 million while exports were negligible. The scope and size of imported goods is subject to a "protocol" that the PA has to clear with the Israeli government in advance. The agreement is also subject to clearance by an Israeli code of specifications on goods imported by the Palestinian side (in one incident, import of a food shipment was rejected on the basis that it was not kosher, although the Muslim population does not abide by this Jewish restriction) (Masri and Osaili 1997). Some of the custom duties that are collected by Israel on Palestinian imports are shared with the PA while some taxes are retained by Israel completely. The Palestinian economy is tied to Israel in many other ways as well.

Israel will not issue any Palestinian merchant an import licensee without the mediation of an Israeli "agent" who extracts most of the profit. Import licensees are only issued to countries that have diplomatic relations with Israel. What adds to the problem are the transportation expenses since neither the seaport nor the airport in Gaza is yet allowed to open although the agreement concluded under Oslo calls for their opening. Another Israeli middleman is needed to get the merchandise out of port for a high fee. Only Israeli trucks are allowed to transport the merchandise to the

Palestinian territory, or to Palestinian trucks at the Israeli checkpoints entering the Palestinian territories. At this point, everything has to be emptied and repackaged, resulting in damaged or spoiled goods. It is quoted that the cost of a container from Italy to Israel is about \$650 less than shipping it from the West Bank to Gaza, a cost that could exceed \$800. The economic situation is further depressed by the border closures between cities and villages, therefore isolating the rural agricultural side from the urban centers and completely paralyzing the trade. Many bankruptcies have been declared and many farmers have abandoned their farms after seasons of unsold produce or spoiled products at the checkpoints (Masri and Osaili 1997).

This economic picture is bleak enough to threaten real peaceful prospects and national reconstruction. Legitimacy is increasingly derived from the ability to address basic needs. Gaza's bread riots in July 1994 indicate that there is continuing failure at the national level (Roy 1996). The frequent Israeli border closures of the West bank and Gaza are devastating psychological, political, and economic blows to the morale of the Palestinian people, and to the hope of peace. The crisis has led to a "massive social dislocation" in Palestine and a steady disintegration of a "once vibrant" and connected society (Bennis 1997). The deteriorated conditions reflected heavily on all facets of civil society.

CHAPTER VI

CIVIL SOCIETY AFTER THE PALESTINIAN AUTHORITY

Introduction

The hypothesis behind this paper is that the civil society which helped establish the infrastructure of the state has suffered an ironic reversal at the hands of the very state it had helped to build. The PA's failure to deliver a just peace and to improve on the economic and social conditions led to strong opposition which was occasionally coupled with acts of violence against the continuing presence of the Israeli occupation, which the PA was supposed to have ended through the peace agreements. The PA became to be seen as perpetuating the Israeli occupation and acting as an extension of it. This perception is exasperated by the corruption charges against the PA officials which were admitted by the Palestinian Independent Commission For Citizen's Rights that was established in 1993. The PA is caught in a situation where it had to choose between continuing with the peace negotiations, which perpetuates its existence, or to strike at the heart of the opposition, which is diffused among the large base of civil society, even the structures that are not represented by Hamas. The following section will discuss the retraction and dissolution of Palestinian civil society and expressions of freedoms and liberties under the PA depicted in the areas of NGOs, labor, students, women, and human rights.

Violations Against Civil Society

PA and NGOs

Controversy over the future of the NGOs in Palestine started even before the PA took over. The crucial argument did not deal with the NGO's relevant role separately, but rather as part of the present and future role of the political opposition. The focus of post-Oslo international aid efforts, together with the establishment of the PA, has put a severe squeeze on both the Palestinian NGOs and the international private NGOs (PVOs). "In the early 1990s, the NGO sector received approximately \$170–240 million from the PLO and international donors. This amount after the Gulf War and Oslo fell to \$60–90 million" (Brynen 1995).

With the arrival of the PA, the NGOs themselves had to re-evaluate their role in civil society. They were still functioning as "national institutions" and perceived to be the building blocks of a "state in waiting." The peace process has presented the NGOs with a new situation. Some activists in this movement had perceived their role as temporary and waited to be transformed into the PA organizations. The Media Higher Council became the Ministry of Information; the Industry Higher Council became the Ministry of Industry; the Health Services Council, which ran 62 clinics throughout the West Bank and Gaza until 1994, became the Ministry of Health (Sullivan 1996). Others have offered that the government assume their functions, something the authorities declined on the ground that the PA must first learn from the NGOs before they undertake what they have been doing successfully for years (Sullivan 1996). Some NGOs, however, did not want to become part of the political infrastructure and many requested from the authorities that their status be independent of the state structure. This request was interpreted by the PA as a

proclamation of opposition to its authority, especially that some of these NGOs were originally affiliated with one of the opposing political groups (Hamami 1996). Many of the NGOs requesting their autonomy were independent; like the Center for Palestinian Research and Studies, which refused to be funded by the PA and insists on foreign and direct donations. The PA's determination to control Hamas's vast social infrastructure as its main opposition was interpreted by many as the motive behind its effort at controlling the remainder of the NGOs. Other factors were present as well that escalated the conflict between the NGOs and the PA and made them compete for resources and legitimacy.

Western governments, whether directly or through international financial organizations, were acting to influence political developments in Palestine and the rest of the Middle East. Their means of exerting pressure was through the use of funds and how they are channeled to local organizations or individuals. The influence of external factors complicated the situation. "It was hoped that the principle of 'good governance' would perceive the NGOs as the only democratic weight parallel to the PA, but this did not happen" (Hawkins 1995). The World Bank estimated that these NGOs lost 40% of their financial aid after Oslo (Hamami 1996). Arafat has attempted before September 1993 to control and weaken the NGOs by pressuring such funders as the European Union to channel all NGO financing through the PA or Fatah-based institutions. This resulted in critical financial difficulties for many NGOs, especially the very important Union of Palestinian Medical Relief committees (Roy 1996). The European Union diverted its support to the PA because it perceived the NGOs as non-supporters of the Oslo agreement and reduced its support to Catholic based NGOs, as well as Japan who followed the trend of "assistance to the PA only" (Stanley 1994). The Jerusalem Union of Charitable Organizations, which represents

160 groups, failed for the last three years to raise any new sources of donations and stopped trying (Stanley 1994). On the other hand, other and U.S. Western assistance after Oslo was conditional on the acceptance of a negotiated political solution and was more concerned with securing legitimacy for the PA and its security forces. For example, Vice President Al Gore, and the ambassador to Israeli, Martin Indyk, both approved the new Palestinians State Security Courts, despite their numerous violations of human rights laws (Hawkins 1995). The U.S. State Department has forced the United States Agency for International Development, USAID, to move away from long-term infrastructure projects and shift to visible projects aimed at impressing people and showing short term gains, such as canceling four-year educational scholarships in favor of enlarging the police force (Hawkins 1995). During Vice President Al Gore's visit to Jericho in March 1995, he announced a new U.S. line of emergency relief and job creation. A result of this was the closure of the Cooperative Development Program, which promoted badly needed agriculture development in the area. The USAID area director Christopher Crawley declared that the U.S. administration's funding policy viewed such projects as too long-term a focus when the crisis is now (Hawkins 1995). Even the international NGOs, like the American Private Voluntary Organization, which have historically and through the occupation encouraged grassroots movements shifted their support to the PA based on the assumption that the NGOs were part of the political opposition (Hawkins 1995). NGOs became to be seen as service providers, away from the political sphere and any democratic debate and isolated from their cultural, social, and developmental activities. This is clearly in contradiction to the recommendations of USAID, which had emphasized the role of NGOs in the promotion of civil society and democratic practices as a prerequisite to aid assistance programs. In its 1995 report, USAID

emphasized its support for democratic activities, including the promotion of free elections, accountable governance, adherence to the rule of law as well as providing training and educational assistance to NGOs and any one interested in learning about democracy (Hawkins 1995).

With the loss of their favorable status, and the missing popular base of support due to their institutionalization, a network of the most prominent NGOs got busy building coalitions with the democratic forces in society and requesting a legal framework to work under. They sought the support of international NGOs like the Welfare Association, an NGO composed of two hundred Palestinian millionaires who donated \$1 million each. They established in 1970s, a Palestinian NGO for the development of the Occupied Territories. The lobby also sought the support of the leftist groups who are opposed to Oslo, like the PFLP and the DFLP. They organized themselves in a form of a lobby group and presented a paper to the authorities clarifying their position in regard to Oslo; the paper stated that their main objective is to advance the civil society in order to guarantee national sovereignty and to enhance democracy. They also tried to coordinate activities with the different government departments to ensure professional cooperation, but the break was inevitable (Hamami 1996).

In August 1994, the PA announced that all NGOs have to register with its Ministry of Justice. The NGOs in Gaza complied, while the ones in the West Bank delayed and requested a more legal framework to work with. Through 1994 and 1995, debate over the future of NGOs dominated the media. The leftist opposition exploited that campaign to push forward their agenda to discredit the PA and the peace agreement with Israel, aggravating in effect the misconception that the NGOs

were allied with the opposition. In August 1995, the PA issued a draft of a new law to regulate NGOs and leaked it to the public (Hamami 1996).

The fact that NGOs would have to be regulated was never in doubt, either on the part of the PA or the NGOs community. “NGOs are regulated in virtually every civil society” (Sullivan 1996, 97). The question was the form such regulations was to take. They were being monitored closely by the Palestinian general intelligence, which distributed two “questionnaires” to the NGOs in 1995. The first was a request for general information about the NGO and its board members. The second concerned the officers of each respective NGO and included detailed questions about the individuals’ parents, siblings, spouses, relatives, and children (name, age, address, profession, income, etc.) as well as questions on political affiliation, spying activities, imprisonment record, and a request for a detailed personal report about “events in your life.” The intelligence agency threatened any organization that leaked the questionnaire. (Sullivan 1996). These Articles of the new law give the PA, through its Ministry of Social Affairs, vast authorities to interfere in the internal organization of NGOs. It regulates their budgets, activities and membership.

Article 14 of the 1995 law for example states that “every charity organization or social institution has to report annually to the Minister (of Social Affairs) explaining in detail its program and revealing the total amounts spent, all its funding sources and any other information requested by the ministry” (NGO Law Draft 1994).

Article 22 of the same law states that the Minister has the right to appoint a manager or a temporary board of directors for these institutions that will carry the same functions of the original board in the following cases: (a) if the number of the board is incomplete, due to a resignation, death, or absence for three consecutive

sessions without an acceptable excuse; and (b) if the board of directors violated in any way any of the articles of this law, the temporary CEO will invite the general membership to convene within sixty days during which it will report in detail to the temporary board and will elect a new director (NGO Law Draft 1994).

Other articles of the law required NGOs not to just register with the Ministry of Social Affairs but also to obtain a separate license from whatever ministry had jurisdiction over their area of activity. They were also required to receive the minister's permission to accept foreign assistance, not only to report such assistance. The Ministry of Social Justice made it clear that Hamas was the target of this restriction by explaining that "we do not want Iran or certain other groups or countries sending money into Palestine to undermine us, the government, and the society" (Sullivan 1996, 98). Other provisions prohibited NGOs from holding bank deposits in excess of one month's expenditures, and restricted cooperation with any organization outside the jurisdiction of the PA. The law came at the same time that Israel ordered the closure of three Palestinian NGOs in Jerusalem increased the impression that the NGOs are under siege from both Israel and the PA (Sullivan 1996). It also came before the election of the Palestine National council, the parliamentary body in the autonomous region. The PA reissued the draft in its newsletter in September.

NGOs pleaded to donor countries at their conference in Paris in October 1995 who in turn criticized the PA strongly for drafting the law. In the absence of legal grounds to support its action, the PA suspended further consideration of the draft and promised to start over in consultation with the NGOs. Delaying the law until the election of the Palestinian Council was the NGOs' goal all along. The suspension of the law credits the NGOs with endurance and clout (Sullivan 1996).

The future of the NGOs is uncertain because it is tied with the uncertainty of the entire peace process and to the political stability as well as the economic progress of the area. It is not clear if the PA is ever going to allow the NGOs to freely connect with their popular base of support. The lack of freedom will curtail the NGO's functions in various areas, such as economic and social development and the monitoring of human rights practices. Another limitation is the NGO's ability to connect with global NGOs to assist them in their objectives as well as to deal with issues that transcend local politics. The NGOs in Palestine will be functioning primarily as governmental departments within their capacities as the one option left for them to ensure their continuity. The ones that are more likely to survive are those NGOs concerned with social and developmental issues, like medical clinics and agriculture. As stated by the Oslo Agreement, the UNRWA eventually will have to transfer its relief services to the PA. With the limited resources available to both parties, it would be logical and beneficiary for the authorities to release the potential of the NGOs to work freely to fulfill a much created need. Many of the services provided by NGOs are usually not the focus of attention of the government, especially with its current scarcity of resources. It would be critical for the PA to perceive these NGOs, not as a threat to its authority, but rather as a source of social mobilization that will assist in its objectives. The issue of legitimacy of the state system should not be perceived as a threat or preclude participation of sub-systems, like NGOs, to have a role in planning the needs of society and in participating in the fulfillment of those needs. International systems, whether governmental or IGOs, have to help in creating an atmosphere of cooperation among the state and NGOs instead of having them compete over the same resources.

PA and Labor Rights

The weakness in governance and the absence of regulations governing the trade and union relations jeopardizes the welfare and the social rights of this group. The current law in the West Bank is the old Jordanian labor law that was in effect since Jordan took over the territories in 1948, while Gaza is still governed by the Egyptian labor law. This is in addition to as many as 2,100 military orders issued by the Israeli authorities during their occupation of the area. Order number 854 state that candidates running for union elections have to get clearance from the Israeli administration. According to Sa'd (1993), the ILO requested Israeli authorities to change these laws several times. Labor relations under the different existing labor laws do not set standards that regulate social security, while minimum wage and national insurance do not exist. A proposal was made in 1991 regarding a labor law to regulate the relationship between the employers and the employees, but was rejected by business owners who have the leverage to decide the percentage of social security and to set wages arbitrarily in the absence of a minimum wage (Sa'd 1993). After the Palestinian authority came to administer the area, a draft of a labor law was drawn by the labor union's leadership and was presented to the Palestinian Authority but has not yet materialized (Sa'd 1993). This law would establish retirement plans, minimum wage, workmen's compensation. The only benefit to the labor is a PA 1994 health insurance benefit where the employer pays 60% of any hospitalization expense (Sa'd 1993). It is important to take into consideration that the PA might be stalling because it is the largest employer, with over one hundred thousand public employees on its payroll and any improvement in the law will be a large expense to its budget (Sa'd 1993).

PA and Students' Groups

The student groups suffered a displacement due to two reasons. The first one is concerned with the employment opportunities available to them once they become a part of the labor force and experiences their same fate. The second reason for the students' displacement is largely due to their subjection to prolonged school closures during the *Intifada* and the level of unpreparedness that it inflicted on them.

The arrival of a Palestinian government under the PA did not relieve their problems. The arrival of the PA did not credit the student group with the due gratitude for its leading role in the *Intifada*. Instead, they were marginalized as part of the inside leadership that was replaced by an outside leadership with its complete bureaucracy and personnel. Political analysts in the area relate that there is a high level of antipathy that this group suffers which makes it very susceptible to extreme politics (Maliki 1996). It was evident that after the Oslo agreement, a coalition was formed between the leftist and the Islamist student groups, for the first time in their history, in opposition to that treaty which won them the majority of the seats on the students' council for 1993–1994. This coalition is evidenced again in the 1996 student elections held at Beer Zait University. The Islamic group won 23 out of 51 seats, while the Fatah “shabiba” only won 17 seats. The significance here is the fact that Beer Zait is the most secular of all Palestinian universities and is the strong hold of the Fatah group. This is a reflection of the social discontent with the performance of the PA (Maliki 1996). It has been noted that the Hamas popularity is a barometer to measure the discontent against the PA.

PA and Women's Rights

It is assumed that any national culture produced in the course of struggle for political liberation has the potential to be emancipatory and progressive. In many cases, this trend was reversed after the war of liberation was won and the revolution was institutionalized (Abdul-Hadi 1995). Palestinian women expected to gain more rights after the end of the Israeli occupation and the establishment of a national government, but that did not materialize. In August 1994, the women's leadership held a press conference and presented a draft of a Woman's Charter. The charter called for equality in political, civil, economic, social, and cultural rights and for incorporating the document into the constitution and any future legislation (Kawar 1996). Some Palestinian women activists were disappointed at the failure of the feminist movement to gain more grounds in the political apparatus of the Palestinian Authority.

There are many reasons for the abortive expectations of the Palestinians women's groups. First and foremost is the division among these groups as a reflection of the diversity of the political groups and their opposition to the current authority. The second reason is embodied in the social and religious structure of Palestinian society. Third is the authoritarian nature of the revolutionary ruling PLO, which came through in a manner that jeopardizes democratic freedoms and the free development of civil society.

The political divisions in the women's movement prioritized the political issues over the social issues specific to women's needs. For women, the national issues took precedence over the social issues in the hope that they will be rewarded

for their efforts after liberation. This hope was hampered by two realities: the social and religious base, and the authoritarian mentality of the PA.

If there is an area where the Islamic heritage is reflected in Palestinian national politics it is the one concerning women. The Islamic law, the *Shari'a*, does not legally treat women as equals with men. This is behind much of the discrimination against women even where the *Shari'a* does not legislate. Sahar Khalifeh, a leftist feminist, expressed concern at the likelihood of the PA striking deals with the Islamic opposition at the expense of women's social rights (Khalifeh 1994). The possibility of establishing a secular personal law status to replace the Islamic code that governs women looks very slim in the face of Arafat's determined revival of traditional forms of clan-based leadership and mediation through appointments that are based on clan association (Jad, Giacaman and Johnson 1996). This practice undermines the progress of a democratic civil society and limits the chances of women. Women's network groups have a long term goal of replacing the *Shari'a* religious law with a secular democratic one, but have to work in incremental steps towards recognizing that goal in the face of a strong traditional and religious society. The PA policies did not solidify the gains that women achieved during the *Intifada* and in the course of political independence. There are several indicators that generate suspicion of the PA policies towards women in specific. Among these is the definition of "what is a Palestinian" as pronounced in the Palestinian National Charter adopted in 1968. Articles four and five define a Palestinian as anyone born to a Palestinian father after 1947, whether inside or outside Palestine and ignore completely the rights of the mother in the definition (Abdul-Hadi 1995). The General Union for Palestinian Women is the only group that advocates women as a criterion for citizenship. The PA is still not committed to the UN 1979 resolution regarding cancellation of

discrimination against women while women are very poorly represented in all policy-making bodies. Many legal and political groups demanded a quota system to be applied in the PLC elections that would have provided women even temporarily with more social access to power, something the PA rejected strongly (Jad 1995).

The policy documents that address “social entitlements and support system” under the PA’s “General Program for National Economic Development, 1994–2000” have not sufficiently addressed issues dealing with social welfare, old age benefits, social services, public housing, unemployment and occupational welfare. Social entitlements are primarily based on market productivity and work contribution, something that ignores women’s reproductive services through their domestic and informal work. This is also to women’s disadvantage in the absence of a policy of equal pay for comparative work. If and when women are mentioned in the document it is in the context of “destitute” requiring assistance in order to alleviate severe life conditions, or in relation to disabled male family workers, martyrs, and prisoners. The document completely ignores independent women whether single, divorced, or abandoned. It assumes that women only work when a male provider is absent, although it states somewhere else in the document that 44% of all families in extreme poverty are headed by women (Jad, Giacaman and Johnson 1996). No social support for children and women is provided for except as part of a pro-nationalist policy which gives birth allowances of \$90 per child (Jad, Giacaman and Johnson 1996). Also, the maternity leave of two months is short of the World Health Organization recommendation of three months (Jad, Giacaman and Johnson 1996). Given the fact that the average fertility rate for Palestinian women is seven births, this policy needs to be re-examined.

The advent of the national elections in Palestine in the winter of 1996 provided women with a rare opportunity to participate in the political process for the first time. The Center for Palestinian Research and Studies, CPRS, conducted a survey to study the men to women participation ratio. The registered voters were 51% men to 49% women, while the actual voter turnout was 58% men to 42% women (Jad 1995). The report goes on to state the high level of women's participation which was about 85.7% of all women, something that reflects a new consciousness in the women's movement to the futility of the old organizational basis of division and political polarization and a more independent trend toward self-propelled energies away from the dominance of political parties (Jad 1995). The opposition groups boycotted the elections and had no candidates running although they supported women candidates through their votes. Women candidates numbered 28 in comparison to 676 men, or 4.15%, winning 5 of the total 88 legislative seats (Jad 1995). The results of the elections reflect the importance of political affiliation. The independent candidates had very few votes. It is interesting to note that family and its extended support was very important in the financing and campaigning aspects. What was admirable is the fact that 79% of the women who ran for elections were married and had a number of children. Three of the five who won seats in the Parliament were affiliated with Fatah, the ruling party. The two other winners were Hanan Ashrawi, an independent human rights activist who has extraordinary personal credentials, and another independent woman who is highly qualified as well. What was detrimental to the other women is the system of simple majority, where winner takes all, which did not reflect the proportionate strength of some small groups. The rules of the game remain to favor the empowerment of a male dominated culture.

PA and Human Rights

According to human rights activists, the greatest challenge facing human rights organizations is “trying to figure out how to adapt to Oslo, given that human rights violations are being perpetrated by both Israel and the PA” (Hajjar 1997, 5). Hajjar adds that the irony of human rights advocates is that they have to work within the legal framework of the very system they are trying to reform. She adds that the Oslo agreement divided the lines of authority “not vertically in two states, but horizontally in the form of local Palestinian ‘autonomy’ and a continuing overarching occupation; something that has blurred the lines of accountability for human rights violations” (Hajjar 1994, 5).

Dr. Khalil Shikaki states that all civil society institutions that uphold the democratic promise have been restricted, punished, regulated or canceled. The PNA established military security courts in February 1995, invoking the 1945 emergency regulations, which Israel used against the Palestinians during their occupation (Shikaki, Winter 1996). These courts held trials, sometimes at night, and in the absence of lawyers. The PA also conducts mass arrests of the political opposition without charges or trials after every act of violence, thus violating all due process and the rule of law. Several prisoners died under interrogation in the PA prisons. Human rights groups such as the Palestine Center for Human Rights, Human Rights Watch, Betselim, al-Haq, and Gaza Center for Rights And Law, the Mandella Group, and others have been censored and their leaders sometimes imprisoned. Iyad Al-Sarrag, a Palestinian psychologist from Gaza, has been detained without trial and tortured by the PA security for publishing information about torture practices of prisoners under

the PA. He talks about his experience publicly and held a press release to the foreign media to that effect.

The only governmental Human Rights group is the Palestinian Independent Commission for Citizen's Rights that was established in 1993 by an order issued by Yasir Arafat as head of the Executive Committee (NGO Law Draft 1994). Its mission is to follow through on all laws and regulations issued by the PA to guarantee and protect human rights. It receives complaints from the citizens against any infringement on their freedoms and welfare. It also deals with corruption charges against officials. It is dealing right now with investigating the infamous case of "the spoiled flour" in which a PA executive official imported a shipment of spoiled flour that caused mass poisoning in the country. Other charges of intimidation have been reported even against the Palestinians in the Diaspora who are outspoken against the PA (Roy 1996).

Arafat canceled the results of the first Fatah elections in the West Bank in November 1994. The elections were held in Ramallah to elect a Fatah regional leadership who were all defeated by members of Fatah opposition. Arafat also canceled the local elections as called for by Oslo because the CPRS opinion polls predicted a Fatah defeat to the Islamists (Roy 1996). Arafat's leadership is built on a mentality of divide and rule. Much of the misappropriated funds are siphoned by Arafat personally to forge alliances, bribe members of the opposition, and reward his loyalists (Brynen 1995). The PA licensed nineteen active private TV stations and four radio stations, all in the West Bank and none in Gaza. Nevertheless, Daoud Kuttab was imprisoned for broadcasting live sessions of the Palestinian Legislative Council. The broadcasts of these sessions were jammed by the PA-run Palestine TV. Kuttab and the students of journalism at the Al-Quds University managed to make copies

and run the sessions on local stations. After broadcasting a special session that exposed PA cabinet members to charges of corruption and nepotism, Kuttab was arrested, something that caused an international uproar causing his release. Since that incident, and in order to regulate the Palestinian media by popular consent, the Legislative Council has established a ministerial committee of elected media representatives and modeled after the United States Federal Communications Commission (FCC) (Badawi 1997). The contradictory policies of the PA are explained as being driven by expediency when it suits its propaganda purposes, while it is repressive if the media is critical of its policies and practices.

Repressive and restrictive measures have also been taken against the press, with many newspaper closures. The decision by Arafat was made to close the *Al-Nahar* newspaper, a pro-Jordanian publication in 1994. When the publisher refused, a group of masked men visited the newspaper office in Jerusalem and ordered it close (Roy 1996). The PA issued a press law and draft legislation for NGOs and political parties to provide “legal means of coercion.” Research institutions, publishing houses, printing shops, and polling organizations are required to obtain permits for their activities and to submit copies of their publications to the information ministry (Shikaki 1995). NGOs are required to seek permission before they can accept funding from foreign sources. “Political parties are required to ensure that files and mail are available for government inspection on a routine basis” (Shikaki, Winter 1996, 11).

The Parliamentary Research Unit, which is part of the Center for Palestine Research and Studies (CPRS), used 45 different indicators in its study to evaluate the democratic practices in Palestine under the PA. It focused on three major areas of discussion when addressing the issue of transition to democracy and its indicators:

the cultural area, the civil society area, and the area of political economy. Democratic indicators usually reflect the practices in each area in a quantitative manner, whether positively or negatively. The actual scores in the survey range from 0–1000, which reflect the confusion in the democratic transition at this critical stage.

A major discrepancy in the conducted study is the large difference in the scores between laws in their legislated form and their practiced form. That gave the PA high scores in some areas where the law is a good indicator of democracy although they scored very low in the same area when it came to how that law was actually applied. For example, the indicator for political means scored 818, while the political practices only scored 405. Social means scored 612, while social practices scored 527. Economic means scored 55, while economic practices scored 500. The study concluded that “this reflects the necessity of ratifying the Basic Law by the president of the PA as an alternative to the constitution in order to establish the rule of law and to confirm the basic freedoms” (Parliamentary Research Unit 1996–1997, 42). The second indicator in the survey confirms that fact; the score for the Palestinians Legislative Council’s performance when it comes to investigating the executive council and questioning its practices was a complete 1000 (16). Another 1000 score was for the area of the Basic Law’s legislation concerning the formation of political parties.

Major weak scores were in the areas of the number of legislation passed by the Council but not approved or revoked in time by the President. This evoked a scale score of zero. Other areas deserving a zero score are holding local elections, areas where citizens have to refer to state police for permits, suspects held without charge or trial, area of actual permits issued for political parties, and areas of actual trials held for corrupt officials. Low scores were deserved by nepotism, which scored

170; area of torture or death in custody, with a score of 200; human rights organizations exposed to authorities harassment, 286. Belief in state corruption scored 357; feeling able to criticize the authorities was 374; number of state trials was 400; and public's evaluation of democracy in the country was 456 (Parliamentary Research Unit 1996–1997, 16–30).

The transition to democracy and its future prospects are in jeopardy under the PA. Civil freedoms are compromised for the sake of the peace, while the peace process promotes dissent, opposition and violence. Under the current balance of power the PA continues to play a surrogate to the occupation causing the general conditions to deteriorate leaving democracy as a victim in its path.

CHAPTER VII

CONCLUSION

The problem of civil society in Palestine cannot be taken out of the context of the Palestinian problem as a whole. The Palestinian people have been uprooted, scattered, denied their rights to repatriation, self-determination and statehood. The peace between the PLO and Israel did not address these fundamental problems. As well, it deferred to a later and uncertain stage other basic issues, such as the rights of the Palestinians in the Diaspora, especially the refugee population that is still living under oppressive conditions in the other Arab states. It also deferred other important issues such as the problem of more than 150 Jewish settlements that have been established on over 50 percent of the West Bank and Gaza territories, the issues of final borders, and the status of Jerusalem, which is most precious to the hearts of every Palestinian. With the Israeli strategy determined on establishing facts on the grounds, these issues may never be settled under the non-binding agreements to the Israeli Likud government or any future government.

Taking into consideration all the issues discussed herein, there will be no real peace if it is not a just peace addressing these issues. The peace was not a peace of the people or for the people. Rather, it was a peace dictated by the leadership for the purpose of saving Fatah as a political group facing extinction in the new balance of power. Under Fatah and in the absence of a democratic national debate, the likelihood of a national government built on popular consensus and political coalitions is very doubtful.

As evidenced in the study, the character of the Palestinian quasi-state has already developed into an authoritarian undemocratic regime. Whether Palestine will become the first democratic Arab state was a question posed by many Western scholars. Can the Palestinians extricate themselves from the lack of democracy prevalent among all the other Arab states is another controversy.

Concerns over the future of democracy in the whole region have always been serious. The issue of legitimacy of all Arab states have been in question, whether they are on the right or the left. This is because of an inherent weakness in the democratic culture and the authoritarian style of governance. Although some social thinkers relate this weakness to the Islamic tradition, others attribute it to the socio-economic structure of Arab societies, which are among the developing Third World countries. The conclusion this author draws is that the weakness of democracy in the Arab world is a combination of these and many other factors. One major factor is that the Arab societies are still trying to adjust to the post-colonial era of the 1950s and 1960s that left its mark on these societies. The regimes that emerged in the Arab world were either imposed on the people by the departing Western powers, or were military regimes that ceased power despite these powers. Consequently, no democratic culture was allowed to develop. Another major reason is the crisis of legitimacy that exists in all the Arab regimes ever since the loss of Palestine and the creation of the state of Israel in 1948. The one unifying concept that justified the legitimacy of these regimes has always been the liberation of Palestine. Politics in the Arab world ever since were an adjustment to that reality until the Palestinians themselves concluded their peace with Israel in 1993. Legitimacy and development in the Arab confrontation countries with Israel suffered because of Israel's occupation of parts of their territory, namely, Egypt, Syria, and Lebanon. The resources of these countries

have been depleted by the requirements of armament and military mobilization. Egypt normalized relations with Israel in 1979 after the Camp David Agreement. After the Oslo Accord, which supposedly ended the hostilities between the Palestinians and Israel, peace with Israel was concluded by all the Arab countries, except Syria and Iraq.

It is perceived that the peace with Israel was imposed by the West on the Arab people, especially the Palestinian people under a strategy that was mapped under the “new world order.” Rejection to this imposition was centered in the Islamic fundamentalist movement which began to symbolize the rejection of the Arab people in general, and the Palestinian people in particular, to the Western hegemony, not only in its political context, but in its cultural dimension as well. Other forces joined under the Islamic front which began to act as an umbrella for different oppositional groups. Extremist politics find fertile grounds for recruitment among angry populations. This represents a major political shift from moderation to extremism, a discouraging prospect for democratization.

In considering the dilemma of democracy in the Palestinian case, one then wonders why should the picture be any less dismal. Why were the expectations so high before the PA took control? How justified were these predictions?

The answer exists in the realms of the advanced and flourishing civil society foundations that existed in the Occupied Territories before 1993. It is in the democratic tradition that existed within its institutions and comprised grounds for the learning of the principles of participation, sharing, pluralism, conflict resolution, and other democratic ideals. It is in its ability to mobilize all segments of society and to transcend all cultural, religious, class, and political orientations in its effort to maintain and develop the Palestinian society. It is also in its ability to unite after the

PA's restrictive measures and establish an effective network to influence the PA's policies and deter its control.

The limitations on the institutions of civil society are counter-productive to the foundation of democracy and justice in the Palestinian society. To safeguard democratic rule, civil society has to function freely in the sphere that guards freedoms of individuals and civil liberties for the entire society. To move beyond the mutual suspicion, Palestinians need to develop a social contract between state and civil society, between the new outside authorities and the insider groups who have been involved in establishing, running, or working the institutions of civil society. The hope for a democratic state seems to lie in an accommodation and cooperation between the two groups. Within the structure and terms of the peace agreement, how much freedom does the PA actually have to do what is needed to do to enhance the Palestinian civil society? With the peace process fashioned under a largely skewed balance of power, civil society is the only hope of changing the course of the present negotiations; "It has the capacity to change the balance of power on the ground and has proved that ability during the *Intifada* when it succeeded in mass mobilization and vitalizing the grassroots movements" (Barghouti 1997, 5). It has also succeeded in forming a strong network representing most NGOs and charities and pleading their case to the European Union and suspending the NGOs draft law issued by the PA. The network is still active in forming alliances and establishing a legal framework through the PLC in order to enhance its autonomy and independence.

In the absence of the internal protection that democracy provides, the role of regional and international organizations as well as institutions of civil society remains limited. It should be the function of these groups to push for democracy and question the legitimacy of the existing government to provide for that much needed internal

protection. It is also the role of the international community in enforcing the basic principles of “good governance.”

The corruption that is plaguing the PA administration is in large part responsible for the deterioration in the economic sector and in the lack of any public trust towards the administration. According to Lipset, “historical evidence has demonstrated that a strong causal relationship exists between economic development and democracy” (Diamond and Sage 1992, 123). Lipset relates that socioeconomic development promotes democracy in two senses: it consolidates already democratic regimes by contributing to their legitimacy. Where democracy does not exist, it leads to the eventually, if not initially, successful establishment of democracy. Other factors contributing to the process according to Huntington are “political institutions and political leadership and choice” (Diamond and Sage 1992, 125). They go on to add that it is not economic development per se that is responsible for promoting democracy, rather it is “the dense cluster of social change and improvements, broadly distributed among the population, that are vaguely summarized in the term socioeconomic development” (Diamond and Sage 1992, 126). Furthermore, “economic development facilitates democracy only insofar as it alters favorably four crucial variables: political culture, class structure, state-society relations, and civil society” (Diamond and Sage 1992, 126). Historical evidence suggests that this causal relation can be reversed, with democracy leading to development (Diamond and Sage 1992, 127), and that is the crux in the role of civil society. The role of civil society might lead the way out of this dilemma, as it is vital to national reconstruction and national reconciliation.

The real question always remains if there will be a real peace in Palestine. The answer is definitely beyond the scope of this study. However, there will never be a

just peace under the prevailing conditions. All indications point to the rise in the opposition against the PA, which is perceived as the extension of the Israeli occupation. Whether it will be a civil war among the Palestinians remains to be seen as the only viable option of a very unjust peace, by a corrupt government. Civil society in Palestine looks towards a very uncertain future.

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