The Role of Civil Society Organizations in Society Building and Empowerment of the Palestinian People

This chapter examines the role of Palestinian civil society organizations in the empowerment process by analyzing their performance, relationships within their sector and with other social groups. The objective is to assess the adequacy of their efforts to confront and overcome the challenges to Palestinian society, and to aid in the establishment of a vibrant, viable state for the Palestinian people.
Palestinian society includes two types of social institutions. The first is the traditional social institution, which includes tribes, clans, extended families, urban, rural, familial and sectarian networks and religious groups. The second type is the modern institution, such as political parties, charitable societies, trade unions, professional associations, women’s associations, NGOs, media and advocacy groups and other service-providing organizations. Both types of social constructions are present and active in Palestinian society and represent different perspectives, whether related to Palestinian cultural heritage, modern, western or traditional patriarchal values.

The traditional social institutions and modern institutions differ from each other in their vision, goals, form and structure. However, similarities also exist - in purpose and in practice - as they both adhere at a very fundamental level to a common system of traditional values. Consequently, both traditional and modern institutions reflect, albeit in different ways, the basic values system of the society that creates them.

Because these institutions do vary widely in their practical interpretation and application of the traditional Palestinian value system, it should be noted that the conclusions drawn in this chapter do not apply to every institution equally. The purpose of the analysis is to monitor the significant trends within the two types of social structures and to assess the impact they have on the development process, given the challenges they face.

4-1-1 Palestinian Tradition and Modernization as Possible Empowerment Tools:

Palestinian culture played an important role as an inhibitor of the social and cultural disintegration that might otherwise have been the result of the Israeli occupation. Palestinian culture possesses a unique heritage of structures, values, traditions, behavioral patterns and custom which are deeply ingrained in the collective consciousness of the people. Palestinian culture plays two opposing roles: the first as a strengthening agent for the fundamental linkages within society and a catalyst for empowerment; and the second as a stumbling block for development and modernization - a hindrance to progression of development and modernization within society.

In general, both traditional and modern institutions are affected by economic, value-driven and behavioral structures. In this sense, Palestinian society remains almost feudal, although it was largely impacted in 1948 and again in 1967 by the culture of forced displacement, as well as other external influences. A hybridization of Palestinian cultural values occurred when returnees and refugees brought with them their own unique relationships, values and social structures. Some of these dated back to their communities of origin, those from which they were expelled in 1948 or 1967, others were a reflection of the refugees’ communities of exile, from which they returned in 1994. The traditional, homogeneous Palestinian culture continued to exert significant influence in spite of transformations and assimilations inflicted on refugee and native structures, values and cultures.

Palestinian modern institutions do not share a uniform level of enthusiasm for western-style modernization. Some strive to achieve modernization and the process of development in the context...
Most modern institutions and organizations view modernization as an escape route from the cultural-historical predicament. Others see modernization as a system in which prefabricated, foreign social systems are superimposed onto the Palestinian framework. Still others reject the concepts of modernization outright, and prefer to take Palestinian society back to the days of conventional thinking, which are now completely out-of-step and antithetical to any aspirations of holistic human development.

In general, however, most modern institutions and organizations view modernization as an escape route from the cultural-historical predicament in which the Palestinians now find themselves. Some believe that traditional institutions and their cultural and religious values hinder the efforts of Palestinian society to catch up and interact with the modern world. They see the existence of traditional institutions as a factor in the continued retardation of growth in Palestinian society. Unfortunately, more modern Palestinian institutions have not performed effectively enough to serve as convincing alternatives to the traditional ways of doing things. They have, however, achieved some success in bringing about a degree of social pluralism and have mobilized resources for change in several areas.

Palestinian society must unify its methodologies and consolidate its resources if it is going to effectively expedite the process of institution-building and modernize its traditional civil society organizations while preserving their contribution to Palestinian life. Some echelons of Palestinian leadership and the cultural elite do recognize the need for modernization, and have achieved a degree of success in realizing this goal.

4-1-2 The Culture of Palestinian Civil Society Institutions:

Tribes, clans, families, urban and sectarian networks and other traditional institutions have great influence at the social and political levels. They wield this influence through their systems and organizational mechanisms, habits, traditions, laws, symbols and ritual celebrations of holidays and the seasons, which hold great emotional appeal and a sense of belonging for its members. Traditional institutions draw members together through relations of kinship, communal property, central places of worship, collective charitable endeavors and group social activity. They are self-funded, and solicit donations, pledges, Zakat (Islamic charitable) funds, and pool revenue from common properties, which grants them certain level of independence from both modern community institutions and official authorities.

Traditional culture shapes the performance of some modern institutions and organizations. Sometimes, modernity is simply a veneer overlaying a deeply traditional core. For example, the rise of modern political parties and government structures does not necessarily mean that they espouse modern or progressive thought and values. Palestinian political factions and parties still display to a large degree the organizational culture and behavioral habits of traditional institutions, whether consciously or unconsciously. They also maintain the loose structure and tribal dynamic of traditional institutions as opposed to the more rigid, disciplined approach of a modern political party. Palestinian political groups do have a long history in the civil society arena and have played important functions in the maintenance of social cohesion. Cultural norms, habits and traditions work to form an unwritten social contract that regulates relationships between different parts of the community.
introduction of modern values to society and in the provision of community services.

4-1-3 Interaction of Traditional and Modern Institutions:

Traditional institutions play an important role in the maintenance of social cohesion. Cultural norms, habits and traditions work to form an unwritten social contract that regulates relationships between different parts of the community and prevents breakdown within the social system. Some modern social institutions also have the potential to play a constructive role in the maintenance of social cohesion, although their activities are governed by conflicting or ambiguous laws issued by various official authorities—Ottoman, British mandate, Jordanian, Israeli occupation, or Palestinian. For example, village and municipal councils have failed to fully execute their expected role in the planning and organization of the activities of local communities. Often, they are too closely affiliated to the executive authority. Or, through election or appointment, they do not operate under a clear mandate from the community they serve, and must constantly respond to an ever-changing legal framework and set of political conditions.

Relationships between traditional and modern institutions within Palestinian society have both positive and negative aspects. The two types of organizations have not yet been able to achieve a mutually beneficial method of interaction. This failure is attributed to two factors: first, defects in both types of institutions and in their performance, and second, the role of external factors, especially the Israeli occupation, in reinforcing contradictions in respective institutional goals. To a degree, each has adapted to the other’s existence within society, but adaptation is not adequate if the two are to work in tandem to guide Palestinian society forward on the path to sustainable development. The reliance of certain political parties on a tribal system of

Box 4-1: Palestinian Empowerment: Between Grassroots Mobilization and Authoritarian Dominance

The first Palestinian Intifada in 1987 provides interesting examples of rational modernization in light of the significant role played by civil society organizations in the conflict. Men and women, adults and children, all participated in the struggle against the Israeli occupation, challenging traditional barriers that previously prevented their participation. The involvement of new groups helped mobilize traditional institutions to engage in Intifada activities and to promote its objectives. During the Intifada, Palestinians voluntarily created their own systems to replace services previously provided by the Israelis. However, internal relationships within Palestinian society were disrupted by a change in the political course taken after the Intifada.

After the establishment of the PNA and during the Al-Aqsa Intifada, many achievements of the first Intifada were reversed and steps towards modernization were marginalized or annulled. A tide of traditional conservative culture swept over official and informal institutions. In the second Intifada, popular participation in decision-making and problem-solving was blocked and the tasks left solely to official institutions, which failed to provide a convincing state-based alternative. As result, traditional social organizations, particularly the patriarchal system, regained their status and began to exert negative influences at both the formal and informal levels. Palestinian society was effectively split into two directions: the modern direction generated by the first Intifada and the reverse towards tradition that took place after 1994 and was intensified during the second Intifada.

2 Migdal, Joel, State and Society in a Society without a State, pp.395-397, and Peretz, Don, Palestinian Social Stratification – The Political Implications pp. 412-414 in Ben-Dor, Gabriel-Ed.; (1978); The Palestinians and the Middle East Conflict, Ramat Gan, Turtledove Publishing.
leadership represents a clear example of the interest-oriented cooperation and adaptation that characterizes the relationships between modern and traditional Palestinian institutions.

Palestinian society is also capable of rationalizing modernization when needed, as evidenced in the first Palestinian Intifada (1987), when traditional and modern institutions cooperated in a manner that enabled the uprising to continue for five consecutive years. Cooperation between these institutions at that time preserved and reinforced the Palestinian social fabric, ensuring the provision of basic services and significantly advancing the political cause.

However, in the years that followed, a hybrid state of genuine and artificial modernization within society took hold, which lead to a gradual abandonment of the task of modernizing traditional institutions and widespread rationalization of the poor performance of the modern ones. This process eventually resulted in both disruption and distortion of a legitimate modernization process, and all the while the Israeli occupation continued to implement its destructive policies against Palestinian society.3

4-1-4 Activities of Civil Society Institutions:

Charitable organizations form the largest sector of Palestinian civil society. Some political movements and parties sponsor development organizations that wield influence in the social domain, such as emergency relief groups affiliated with nationalist and leftist parties and Islamic institutions. Benevolent associations, such as clubs, familial/clan/tribal councils (diwans), are also active in social service and relief work in response to needs within the local community.

Some development-oriented NGOs were established to address the everyday problems of life resulting from the Israeli occupation in 1967. These NGOs created different directions for themselves than those of charitable societies—going beyond the provision of direct and immediate relief, seeking instead to develop society’s internal ability to create an alternative, parallel system to the Israeli occupation – one capable of resisting it.

Each civil society institution oriented towards development operates in its own domain and occasionally within joint domains as well. Their activities intertwine with efforts of official institutions in preserving the Palestinian social fabric and in the fields of health, education, culture, and social welfare. In addition, they interact with the surrounding environment, reacting to roles played by neighboring countries and roles played by the Israeli occupation with its different manifestations and dynamics. They also interact with the wider environment as they work to secure external funding sources, advocacy and support linkages from United Nations agencies and other international institutions.

Activities sponsored through Palestinian civil society institutions and organizations have a significant impact on the community. As result, they hold a large degree of responsibility for both the positive and negative outcomes of their programs. But not all institutions and organizations operate effective, well-managed programs, so the

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Points of Light 37-39: Palestinian NGOs and Youth Empowerment Programs

Point of Light 37: Sharek Youth Forum
Sharek Youth Forum organizes a series of daily and weekly activities for youth and adolescents and promotes youth involvement in all aspects of legal, social and cultural life. The Forum encourages youth groups to perform volunteer work. Between January 2002 and August 2004, the Forum partnered with various youth organizations throughout Palestine to fund and implement 98 youth programs.

In addition, the Forum established 20 centers to promote the dual principles of partnership and participation. The centers provide an environment in which youth can give expression to their hopes and their unique needs. The centers offer expanded level as well as remedial educational curricula, health, cultural and sports programs. They build playgrounds, sponsor sports teams and provide them with the needed equipment. In addition, training, rehabilitative and developmental programs were organized and a number of youth institutions, centers, clubs and associations were supported in the implementation of capacity-building programs for the youth. The number of participants and beneficiaries of the Forum’s programs are estimated at 193,000 children and young people, both males and females.

Point of Light 38: The Youth Achievement Initiative
This is a national youth initiative promoting the power of youth work and working to spread the basic principles of democracy and the responsible practice of citizenship — its rights and responsibilities. The initiative was launched in early 2003 by Quakers in order to promote the involvement of young people in society through partnerships with Palestinian youth institutions. The project enjoyed wide levels of participation in 46 separate youth teams distributed through a number of Palestinian towns and communities.

The initiative educates young people about democracy, civil society and citizenship, encouraging them to identify and solve community problems in the spirit of teamwork and in partnership with national institutions. It equips them with the required skills to take initiative and to participate in decision-making through active involvement in volunteer work. The Youth Initiative provides training and skills development in teamwork, communications, and team and crisis management skills. Teams of school children, in cooperation with youth clubs and institutions, work to identify community problems and prepare and implement plans to address them.

Point of Light 39: Arab Studies Society/Youth Development Department
The Department was established in mid-2000 as an initiative by the late Faisal Husseini (then the manager of Jerusalem affairs in the PLO) in order to promote and protect Palestinian institutions in Jerusalem by creating programs that cater to young people and assist them in planning for their future. To this end, the Association provides administrative (institution-building), financial (fundraising), and technical (training and consultation) support to institutions operating in the Jerusalem District to develop the youth sector. The program encourages school dropouts to return to school or receive appropriate vocational training, providing guidance to youth in setting realistic plans and goals, administers aptitude and ability tests to determine areas of strength and potential, and coordinates a variety of youth activity programs.

individual impact of civil society groups varies widely from organization to organization. Similarly, community response to civil society programs varies in accordance with how well the programs serve the needs of its target groups.

Professional associations and the Palestinian private sector play a large role in society as well. Professional and trade associations serve to regulate industry activity, set rules of professional conduct, organize relationships between trade associations and members, settle intra-industry conflicts, and promote their members’ financial interests.

The private sector attempts to respond to the growing needs of Palestinian
society. It seeks to upgrade its own performance levels by establishing relationships with funding agencies and maintains constant communication with industry counterparts abroad. The private sector encourages input and advice from external economic institutions and makes every effort to keep abreast of changes in the dynamic economic environment.

The Palestinian private sector absorbed the economic shock of 1967 and managed to hold itself together, in spite of the flight abroad of both economic leadership and investment capital. The Israeli occupation resulted in the drying up of available credit, a huge reduction in market size, marked decline in the agricultural sector and major shifts in labor demographics.

Nevertheless, the private sector continued to serve as a primary source of employment and resisted efforts from the Israeli market to completely swallow the Palestinian market, especially in the time period from 1994 until the second Intifada. At this time, the private sector faced another onslaught, and many private enterprises were forced to close. Those that survived did so through substantive reduction to production capacity and internal restructuring of operations.

The work of Palestinian professional associations is an important component of civil society. Industry-specific associations defend the interests of groups they represent and coordinate the work of their members. These activities generally result in higher levels of efficiency and production within the industry or profession and raise visibility for their members within Palestinian society. For example, several professional associations in the West Bank are formally affiliated with sister associations in Jordan and network with other similar associations in Palestine and throughout the Arab world. Professional associations in the West Bank also participate in a voluntary forum, which coordinates their affairs.

In Gaza, however, the situation is somewhat different. Professionals belong to societies rather than associations, as dictated by the laws established in Gaza prior to 1994. After 1994, many professional societies were permitted to reorganize as associations, and to follow the laws governing similar groups in the West Bank.

In practice, the priorities of professional associations in the West Bank and Gaza Strip differ and as result, relations between the associations in the two geographic areas were not harmonized in terms of structure or performance. Hampered communications, especially during the past three years, also contributed to a general lack of coordination between the two areas.

Members of professional associations in the West Bank and Gaza Strip represent a significant percentage of Palestinian social and political elite groups. Professional associations in the West Bank, both individually and through their common forum, have played prominent roles in the Palestinian society since 1967 on both the social and political level.

Another example of professional coordination serving the common welfare is the Palestinian NGO network, created to promote cooperation and synergy of effort among its members and to strengthen their collective social and political contributions. In addition, a number of industrial unions and chambers of commerce (in the important economic sectors of stone, food products...
Points of Light 40-43: The Private Sector’s Role in the Community

Point of Light 40: Palestine Telecommunications Company - PALTEL

PALTEL has adopted the concepts of corporate social responsibility by creating community partnerships with local institutions to promote creativity and excellence. Activities include funding the Young Scientists Club; establishing three new centers in Nablus, Hebron and Gaza and renovating two older centers in Ramallah and Khan Yunis. PALTEL provided 200 scholarships to university students and purchased olive oil from farmers in cooperation with the Agricultural Relief Committees and Nablus Zakat Committee. PALTEL also provided financial relief to needy students and their families, used videoconferencing technology to simultaneously broadcast Birzeit University graduation ceremonies for parents in Gaza during the closures, covered costs of medical treatment for afflicted needy individuals, and sponsored many youth sport programs.5

Point of Light 41: The Arab Bank

Since its establishment, the Arab Bank has sponsored activities and programs which serve large sectors of Palestinian society, especially in the fields of culture and education. The bank offers material and in-kind assistance to educational institutions and provides financial aid to thousands of Palestinian university students.

Point of Light 42: National Beverage Company (NBC)

In mid-2004, the NBC funded a children’s library in a government-sponsored hospital located in Jenin, as well as another in Ramallah. NBC also sponsors the donation of large quantities of school supplies to schoolchildren throughout Palestine annually.

Point of Light 43: Jawwal (Cellular Telecommunications)

Jawwal utilized its extensive mobile telecommunications network to organize a campaign for national unity and stability following the death of President Yasser Arafat. Jawwal also uses its publications and advertising media to promote the major landmarks and historical sites of Palestine.

and pharmaceuticals), agricultural associations (olive, agricultural marketing), and literature and arts forums have been formed.

4-1-5 Legal status:

Some traditional institutions within Palestinian society were created voluntarily in accordance with the needs and the wishes of the local community, whereas others were established by fiat or by force over a long period of historical development. Some of these older institutions were founded during the Ottoman period and eventually gained popular acceptance during the period of the British mandate. They were subsequently absorbed into the Jordanian system and later into the PNA.6

In contrast, modern NGOs are established and operate within the Palestinian legal framework, as well as within the framework of Israeli laws and military orders that are the legacy of the continued occupation of the Palestinian territories.7 Certain provisions of the May 1994 Cairo Agreement between the PLO and the state of Israel also serve to direct NGO activities within Palestine.

6 See on this issue: Mohammed Fahd Mohammed Al-Araj, Brief of Tribal Judiciary. Jerusalem, 2003. (As indicated on its cover, the book was issued by Presidential Decree No. 4557 on 16 February 1997)
7 The PNA Chairman issued Decree No. 1 of 1994 that provides for continuing “the effect of laws and orders that were in effect in the Palestinian Territories prior to 5 June 1967”. He also issued Decree No. 5, where Article 1 stipulates: “All powers stated in legislations, laws, decrees and orders in effect in the West Bank and Gaza Strip prior to 19 May 1994 shall be entrusted to the PNA”. See Palestinian Proceedings, the PNA official gazette, Issues No. 1 and 4.
Palestinian political parties and political movements are powerful influences within Palestinian society. They serve as catalysts for action at the political and social level.

After the establishment of PNA, legal restructuring was needed. However, the legislative framework in existence did not adequately support or provide guidance to the required reorganization within the government. Some examples of deficiencies in the current body of Palestinian legislation with regard to the organization of governance follow:

1) The Law of Political Parties is as yet unratified. Political parties are temporarily managed according to the provisions of the Draft Law of Political Parties of 1995, which has a number of shortcomings. Some legal institutions and Palestinian human rights organizations have criticized the complications and inconsistencies inherent in the Draft Law. Some of these include unnecessarily complex procedures for party organization; restrictions placed party activities; and relationships with the media, as well as other areas of concern. The draft law is also criticized for its adherence to the Israeli laws and military orders dating back to 1994 and earlier, as well as PNA's need to obtain Israel's approval for any new Palestinian legislation in accordance with the terms of the 1994 Cairo agreement.

Article 2 of the Charitable Organizations and Community Associations Law No. 1 of 2000 defines the activities of charitable societies and non-governmental bodies as “any voluntary social, economic, cultural, developmental service or other activity which improves the status of society’s citizens in social, health, professional, material, spiritual, artistic, cultural, sports, or educational terms”. The law excludes

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Box 4-2: Palestinian NGO Network (PNGO)

The Palestinian NGO Network is an independent civil and democratic entity created to support and strengthen the principles of democracy, social justice, sustainable development and respect for human rights within Palestinian society. PNGO does not discriminate on the basis of religion, gender or race. The organization was established in September 1993, after the signing of the Oslo Accords, to enhance coordination, consultation, cooperation and networking among different sectors of civil society. Its membership is comprised of 92 Palestinian NGOs working across a broad spectrum of humanitarian, social and developmental fields. PNGO forms integral linkages within Palestinian civil society, coordinating the NGO sector at local, regional and international levels.

**Vision:** PNGO seeks to contribute to the establishment of an independent and democratic Palestinian state based on the rule of law, social justice, principles of democracy and the respect for human rights. To this end, PNGO strives to: contribute to the national resistance to the Israeli occupation, strengthen democratic values and culture within the Palestinian society, strengthen coordination, cooperation, networking and consultation within the civil society, and strengthen the NGO sector’s institutional capacity.

**Overall goal:** to reinforce the role played by NGOs through contributing to the empowerment of the Palestinian civil society within a viable independent Palestinian state based on the principles of democracy, social justice and respect for human rights.

**Objectives:** influencing the overall policies of decision-makers in general and PNA institutions in particular; supporting the formulation, analysis and dissemination of relevant policies, legislation and laws; enhancing the managerial and institutional capacity of civil society institutions in general and PNGO's members in particular; strengthening coordination, cooperation, networking and consultation among the different Palestinian NGOs at the local, regional and international levels; influencing international public opinion and promoting international solidarity with the legitimate rights of the Palestinian people; and promoting democratic and civil values and the principles of freedom, social justice and equality among the Palestinian public.

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political parties and the private sector from this definition. Universities and colleges are defined under Palestinian law as charitable organizations, in spite of the fact that academic institutions clearly cannot be described as such if the terms of the definition provided in Article 2 of the law are applied.

The Palestinian Labor Law No. 7 of 2000, Article 1, defines a professional association as “any professional organization that is formed in accordance with the (Palestinian labor) law", and defines a worker as “any ordinary person that carries out a job for an employer for a wage and performs the work under the latter's management and supervision". The definitions for a professional association and a worker apply equally to both professional and labor unions.

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Box 4-3: The Political Parties Law as a Model of Self-Imposed Restraints on the Empowerment Process

Palestinian political parties and political movements are powerful influences within Palestinian society. As with other civil society organizations, they serve as catalysts for action at the political and social level. And although they are political in nature, functionally they also fill in gaps in the provision of social services resulting from the cumulative effects of Israeli occupation and the PNA's failure to function as an efficient provider of basic public services. Political parties and political movements fall under the jurisdiction of the Draft Law of Political Parties of 1995. This draft law has a number of shortcomings, including:

- Complex procedures associated with the establishment of parties and operational restrictions which limit interaction with the public.
- Restriction of publication rights and media access with no legal justification.
- Inherent favoritism for the dominant or ruling party, granting the party in power special privileges and wider freedoms within Palestinian society.
- The Draft Law in Article 1 creates a legal link between the Palestinian Basic Law and the political system of the PLO, and in Article 3 the law declares all parties organized under the umbrella of the PLO to be registered political parties, thus exempting them from conditions required for establishing political parties. Although the desire to protect and preserve the PNA by emphasizing its linkage with the PLO is understandable, the insertion of the PLO into the law without legal justification raises a number of legal concerns. The Oslo Accords of 1993 specify the PNA as the governing body of the Palestinian territories for a certain interim period only. Attempts to prolong the ruling mandate of the PNA beyond the specified interim period by legislative caveat are not consistent with the functions of a free democratic state.

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9 There are several chambers of commerce in the West Bank and Gaza Strip operating under different names. Each chamber essentially performs a similar function; however, they do not coordinate efforts due to internal conflicts and traditional territorial disputes. The situation in Jerusalem is different than that in the West Bank and Gaza Strip. In Jerusalem, the Israeli trade unions (Histadrut) play the primary role, whereas the Palestinian trade unions are inactive.

Box 4-4: Relations between the Ministry of Interior and Civil Society Organizations.

Since its establishment, relations between the PNA and civil society organizations have been characterized by reciprocal competition and mutual suspicion. The PNA has repeatedly engaged in attempts to limit and control the activity of these organizations.

After the Al-Aqsa Intifada, however, a new type of relationship slowly began to emerge. In early 2004, the Ministry of Interior (MOI) adopted measures designed to bridge gaps in relationships between governmental institutions and civil society organizations, most importantly:

- Holding periodic (monthly) meetings between MOI and civil society organizations.
- Forming a civil society coordinating committee consisting of representatives from nine civil society organizations and their network institutions.
- Simplifying and facilitating procedures for the registration and licensing of civil society organizations.
- Banning security apparatuses from entering the physical premises or intervening in the affairs of civil society organizations without authorization from the Minister of Interior. MOI also issued instructions to civil society organizations not to respond to any intelligence agency seeking information, as only the MOI is permitted informational access to civil society affairs. This new directive mitigates the problems arising from multiple security apparatuses operating under the perception that they are responsible for monitoring the operations of NGOs.
- Negotiating the terms of the “terrorism certificate” and conditional funding imposed by donors in order to reach a common position within the NGO community.
- Seeking to achieve synergies in the work of civil society organizations with ministries specialized in the same field.

However, issuance of a special Palestinian law to organize professional associations is still pending. A draft law was submitted to the PLC but it has not yet been ratified. The draft law defines a professional association as “a voluntary professional organization that represents the interests and aspirations of its members and seeks to improve their conditions and meet their needs” (Article 1). In Article 7, the draft law differentiates between professional unions and others, considering that the “practice of [certain professions] requires a license issued by the [relevant] association and abidance by the provisions of laws related to these professions”. The draft law allows professional associations to join or participate in any Arab, regional or international union (Article 4) and allows associations to form internal unions from among their members.11

Section Two: The Roles of Traditional and Modern Social Institutions in Preserving Society

Both traditional and modern social institutions play significant roles in preserving Palestinian society. Traditional institutions have consistently proven that they, as social agents, do provide acceptable solutions for some of the difficulties faced by society. Society reinforces the role and legitimacy of traditional institutions by continuing to rely on their structures, norms and methodologies. Traditional institutions have also successfully maintained critical communications and cultural linkages among different sectors of Palestinian society within the occupied areas. They provide social solidarity, tribal justice, assistance to the needy and organize volunteer and charitable activities, in the absence of the rule of law and a modern governmental substitute for these functions. The existence of traditional institutions also slows the processes of geographic fragmentation and social disintegration brought on by the Israeli occupation.

In spite of the quantitative and qualitative contribution of the traditional institution, many still fear its potential to negatively influence society’s potential for advancement and ability to gain independence. For example, the tribal judiciary system is an alternative to a governmental judicial authority in a conflict resolution capacity, but it simultaneously serves to undermine the legitimacy of the judicial authority. Large sectors of Palestinian society believe that any problem, no matter how complex or serious, can be solved through the tribal councils in a cost effective manner. In addition, tribal councils do not always ensure justice for marginalized social groups (such as women, children and the poor). In addition, they rarely address the core factors that create social problems. Tribal councils provide, in essence, “band-aid” justice, providing temporary relief but no real cure. Tribal institutions cannot contribute to sustainable development unless their activities are regulated and monitored by an appropriate national authority in cooperation with civil society institutions.

Modern institutions enjoy varying degrees of social acceptance for a number of different reasons. For example, it is virtually impossible to distinguish among the various Palestinian political movements and political parties simply on the basis of their stated political goals. Often, their proposed social programs are too generalized, as well as idealistic and utopian, and will never be realized or implemented under the prevailing conditions. In other words, their stated goals were not crafted with a realistic view of or in response to existing political, social and cultural challenges of Palestinian society today.

In spite of the similarities in their platforms, Palestinian political parties continue to compete and to conflict with one another unnecessarily over ideology and the distribution of roles. Palestinian society must question the rationale supporting the fragmentation of its political parties, especially in view of the shared goals of independence and sustainable development. When the desired outcome is to bring an end to the disintegration of the Palestinian social fabric, how is a group of fragmented and conflicted political parties going to contribute to the process of sustainable development? How can Palestinian society entrust them with their hopes and dreams for a social harmony and stability when they cannot even achieve these ideals within their own small groups?
Civil society organizations greatly advanced the processes of modernization and development and unceasingly worked to establish a functional system of civil services to oppose the Israeli system.

Points of Light 44-45: NGOs and Volunteer Work with Marginalized Groups

Point of Light 44: A Summer Camp for Children
The Muneef Barghouti Center created a summer camp for children based on the tenets of volunteerism and involves the children themselves in the management of the camp and all its activities. This initiative is unique in that it provides opportunities for marginalized and poor children to participate in the camp without burdening the families with the cost of tuition, materials and equipment. The camp combines the traditional summer activities of arts and sports with other activities that promote initiative and creativity among the participants and enable them to enjoy full self-expression and the exploration of their individual abilities.

Point of Light 45: Al-Lod Charitable Society (Working with People with Special Needs – Sawa/Sawa Program)
Through a voluntary community initiative, Al-Lod Society members conduct home visits to children and young people with disabilities in order to encourage participation in the broader community, encourage their hobbies and creativeness and to establish an exhibit of their work.

Neighboring Arab countries have played an important role in the maintenance of the status quo within Palestinian society. Some Arab countries use the Palestinian internal conditions to their own benefit as they seek to implement their regional political strategies. In addition, traditional biases (tribal, sectarian and patriarchal) play a role in maintaining the prevailing condition of internal fragmentation.

These factors partially explain the failure of Palestinian movements and parties to fulfill their expected roles in the internal and external political struggle. Some political groups have begun to promote anti-democratic platforms under the pretext of resistance to the occupation. As result, the entire democratic decision-making process, including the need to guarantee that decisions taken are actually implemented, is being increasingly abandoned and the required periodic rotation of authority is postponed or overlooked.

Palestinian political parties have also failed to adapt internally in order to effectively address and respond to new challenges. This failure was apparent during the events of July 2004, which included abductions and targeted shootings. Some groups began to discriminate against and harass citizens who refused to affiliate with their party. Such harassment usually occurs in the workplace, where workers reluctant to affiliate with a certain political group begin to experience job stagnation and fail to achieve promotions, no matter what their levels of experience or competence.

Post 1967, the number of Palestinian NGOs and their role in society notably increased. That role became even more critical following Israeli incursions into the Palestinian territories and the intensified attempts to destroy the PNA since 2000. Civil society organizations greatly advanced the processes of modernization and development in this period, and unceasingly worked to establish a functional system of civil services to oppose the Israeli system.
Palestinian NGOs have worked to meet community needs since 1967. They strive to remain abreast of a host of newly emerging responsibilities, in the absence of a functioning PNA and in the presence of hostile occupation forces. After 1994, they also operated in the absence of any supportive network of government regulations or policy.

Donor funding played an important role in the development of the Palestinian NGO infrastructure. Since 1967, donor assistance created a reliable revenue stream, built internal capacity and transferred technical know-how and development experience to NGOs in all sectors of Palestinian society. NGOs in turn utilized its relationships within the donor community to promote understanding of the Palestinian political cause and to resist the occupational authority’s attempt to hide the harsh realities of Palestinian daily life from the eyes of the world.

However, the relationship of Palestinian NGOs and the donor community is not without negative aspects. Donor aid is often accompanied by specific, and sometimes conflicting, political agendas. Lack of internal organization and clearly established sets of priorities within the NGO community forced many civil society associations to accept without challenge the will of donor groups. The heightened state of dependency weakened the ability of Palestinian NGOs move decisively in the direction of sustainable development, and resulted in the wasting of financial resources, duplication of projects, diminished quality of services, and a subjugation of the NGO leadership and vision to the donor community.

In addition, donors unintentionally pitted NGOs against one another in an unhealthy competition for funding. NGOs tailored their programs to align with the stated objectives of donor initiatives in order to secure resources. Many NGO programs overemphasized short-term emergency relief work, usually at the expense of their longer-term programs designed to promote sustainable development.

To a large degree, NGOs have individually succeeded in developing modern organizational structures, established standards for performance and effective service delivery systems for program beneficiaries. The NGO

Box 4-5: Poor Coordination and Subjective Prioritization

Poor coordination between the various sectors of civil society stems largely from the need to compete against one another for social recognition and for donor funding. NGOs are generally defined by areas of specialization, by political affiliation and by geographic location. The need to compete plays a major role in defining the behavioral patterns of the individual groups.

NGOs within the same sector and with similar goals can vary widely in terms of performance, due to differences in institutional hierarchies, the extent of donor influence and the internal agenda of each organization. This situation embodies the inappropriate coupling of traditional behavioral patterns and modernization and the resulting fragmentation of the role played by civil society organizations in sustainable development.

community has failed, however, in creating a central infrastructure to harmonize and coordinate the work of individual civil society organizations under the umbrella of a strategic vision for sustainable development and the collective empowerment of society.

Section Three: Civil Society Organization’s Impact on the Social Fabric from the Citizen’s Perspectives

The social and political situation in the West Bank is significantly different than that in Gaza Strip. These differences affect public response toward the performance of civil society organizations in each of the two regions. However, even more significant variations in public response are noted between citizens of the West Bank and Gaza and the residents of East Jerusalem. Therefore, it is difficult to accurately measure the level of trust among Jerusalemites in institutions operating in the West Bank and Gaza Strip, as well as to clarify how Palestinians in the West Bank and Gaza Strip view the performance of Jerusalem institutions. The situations are different, as well as the impact of institutions in each region. The lack of accurate data renders the task of comparable performance measurement almost impossible.

Activities by civil society organizations have a varying impact between Jerusalem and the rest of PNA territories, as well as between the West Bank and Gaza Strip. Variations between both regions have been reinforced by the construction of the Separation Wall in 2004. Data available on Jerusalem and the rest of the Palestinian territories are not sufficiently accurate or descriptive to allow objective analysis of the public response to the activities of civil society organization in the various geographic areas.

Therefore, the PHDR utilized the results of public opinion polls previously conducted by several Palestinian institutions and initiated three regional opinion surveys specifically for the purposes of the PHDR. The PHDR also incorporates information published in the media and other formal research studies. Specifically, the following presentation is largely based on opinion polls conducted by the Birzeit University DSP and on three workshops conducted in Ramallah and one in Gaza specifically for the purposes of this chapter.

Results of polls conducted periodically by the Birzeit University DSP indicate a variation in the level of public confidence in civil society organizations as well as differences in the assessment of organizational performance. For example, the opinion poll issued published by the Programme on 01 June 2004 indicated a significant geographic discrepancy in the levels of public confidence in Zakat Committees (54 percent in the West Bank, increasing to 61 percent in Gaza Strip).

The percentage of the public with trust in the work of foreign NGOs reached 31 percent in the West Bank and increased to 46 percent in Gaza Strip. The same approximate percentages apply to trade unions (31 percent in the West Bank compared to 44 percent in Gaza Strip), NGOs and charitable societies

13 Due to the frequency of closure on Jerusalem, the Palestinian communities residing in the urban areas of East Jerusalem can no longer be measured by the same criteria applied to the citizens of the West Bank and Gaza Strip. Views of official Palestinian institutions differ considerably between Jerusalemites and residents of the occupied territories. Jerusalemites also display lower levels of trust in Palestinian trade unions, certain foreign funding agencies (particularly those refusing to support the population of Jerusalem) and other institutions based on the same criteria prevailing in the West Bank and Gaza Strip. Therefore, the results of opinion polls conducted by Development Studies Programme in the occupied territories cannot be extrapolated to the Palestinian population of East Jerusalem.
(44 percent in the West Bank and 52 percent in Gaza Strip). Despite a small variance in the level of public trust in the judicial system between the West Bank and Gaza Strip (40 percent compared to 46 percent), people in both regions still have more confidence in the effectiveness (by about 10 points) of tribal reconciliation committees than in official judiciary bodies (53 percent in the West Bank compared to 63 percent in Gaza Strip).

4-3-1 Performance of Civil Society Organizations and Public Opinion:

Palestinian public opinion polls in the occupied territories were conducted to measure the level of people’s acceptance or rejection of the performance of Palestinian civil society organizations. Two polls conducted in June 2002 and June 2004\(^\text{14}\) revealed that the level of trust in the Palestinian civil society organizations has varied. Comparisons between the respective results of the two polls indicate that the level of trust in most institutions has dropped. The following table illustrates the results of both polls:

<table>
<thead>
<tr>
<th>Institution</th>
<th>2000</th>
<th>2000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Universities</td>
<td>80%</td>
<td>62%</td>
</tr>
<tr>
<td>Zakat Committees</td>
<td>67%</td>
<td>58%</td>
</tr>
<tr>
<td>Tribal reconciliation committees</td>
<td>--</td>
<td>57%</td>
</tr>
<tr>
<td>Local press</td>
<td>42%</td>
<td>50%</td>
</tr>
<tr>
<td>NGOs and charitable societies</td>
<td>53%</td>
<td>47%</td>
</tr>
<tr>
<td>Formal judicial system</td>
<td>44%</td>
<td>43%</td>
</tr>
<tr>
<td>Trade unions</td>
<td>39%</td>
<td>36%</td>
</tr>
<tr>
<td>Palestinian opposition</td>
<td>29%</td>
<td>36%</td>
</tr>
<tr>
<td>Political Movements/parties</td>
<td>29%</td>
<td>27%</td>
</tr>
</tbody>
</table>

4-3-2 Major Issues for Workshop Participants:

Three discussion workshops were conducted in Ramallah with trade unions, NGOs and political movements in the West Bank and a fourth one was conducted in Gaza City. Participants’ views in these workshops indicate diverging opinions in some cases and similarity in others. Workshop discussions focused on 7 main topics: government institutions; development and empowerment; traditional and modern civil society organizations; participation in decision-making; donors’ role; public trust in civil society organizations; and the Palestinian developmental perspective.

- Government institutions: Workshop participants in both the West Bank and Gaza Strip consistently defined government institutional performance as negative, discouraging, existing in a perpetual state of crisis, and a factor which reinforces rather than addresses the problems imposed by the Israeli occupation on the Palestinians, including geographic fragmentation.
Points of Light 46-49: Palestinian NGO Media Achievements

Point of Light 46: Ramattan Studios (Satellite Broadcasting)
Ramattan Studios was established in the Gaza Strip in 1999 and expanded its operations to include the West Bank and Jerusalem. The company started with limited capital from partners’ contributions and with no external funding. Ramattan was the first company of its kind to break the Israeli satellite broadcasting monopoly in the Palestinian territories when Ramattan secured its satellite broadcast rights. Ramattan also has trained 100 young people and provided jobs to 50 of them in the technical and administrative fields. This media initiative helped establish the first Arab TV news agency to broadcast from Palestine free of charge for two hours a day.

Point of Light 47: PYALARA – Alli Soutak TV Program and Palestinian Youth Times Newspaper
The Palestinian Youth Association for Leadership and Rights Activation (PYALARA) launched two media initiatives designed to provide an appropriate forum in which young people might articulate both their perspectives and their aspirations to society, but to the decision-making leadership in particular. The first initiative is a youth TV program titled “Alli Soutak” (“Raise Your Voice”) aired for two hours weekly on the satellite Palestine TV channel. Youth teams are formed to create the program and present it to the audience by themselves, voicing issues of concern to them and activating youth to defend their rights and promote their causes.

The second initiative is creation of the newspaper Palestinian Youth Times, which is the first publication of its kind in Palestine targeting youth aged 14-25 years. The Youth Times reporters are all from the same age group. A major objective of this newspaper is to empower young people and promote their role in society by providing a venue to express their views of life in a widely distributed media publication.

Point of Light 48: Palestinian Women’s Media Office
The women’s media office strives to focus the attention of Palestinian society on women’s and children’s issues. The Office attempts to shed light on the different forms of suffering endured by women and children in Palestinian society. Its objective is to bring about constructive social action to create effective development policies that concentrate on the empowerment of individuals, especially the marginalized and oppressed. The Office hopes to achieve full mobilization of community resources to advocate their causes.

Point of Light 49: This Week in Palestine
This weekly cultural information publication highlights activities taking place in the different areas of Palestine. It targets the staff of international agencies, visitors and tourists. It is highly stylized and very professionally produced English-language publication.

and continuing social disintegration within the Palestinian society. The crisis is exacerbated due to the overlapping tasks of national liberation and nation-building taking place in an environment characterized by lack of institutional organization and effectiveness, democracy and accountability, and amid public distrust of PNA governing bodies and the NGO community.

Participants in all four workshops believed the work of public institutions to be nonprofessional and to have resulted in a host of internal and external difficulties. The situation is further intensified by the political chasm that exists between mainstream Palestinian political institutions and the growth of the Islamic movement as a formidable political force. Workshop participants noted the absence of an empowering national leadership, and the vague regulatory framework which governs the interaction of the PNA with civil society organizations. The negative performance of the government institutions are reinforced by declining economic and social conditions, as reflected in increasing poverty and unemployment rates and...
the declining living standards. Participants from the West Bank also commented on the fragility of developmental and democratic visions and the vulnerability of the Palestinian political system.

- **Development and empowerment:** Workshop discussions clearly indicated that the relationship between development and empowerment is a dialectic one and that empowerment has two faces: empowerment of civil society and empowerment of national institutions. However, a question was raised in the discussion on the challenge of development and institution-building while under occupation. The same question was also raised when government institutional performance was addressed. Some participants doubted the possibility to achieve development in the Palestinian context as long as efforts focus on relief work, although acknowledging that limited developmental breakthroughs have been achieved. This view is further reinforced in view of poor NGO coordination among different sectors, within districts and with the PNA.

- **Traditional and modern civil society organizations:** Some participants doubted it was possible to achieve an active Palestinian civil society in the absence of Palestinian sovereignty. The consensus opinion held that a limited level of effectiveness exists among civil society organizations, while also acknowledging that a traditional social culture prevails among both traditional and modern institutions. Participants from Gaza stressed that tribal reconciliation committees are a strong presence in the community and in the lives of people. Others added that Islamic societies and mosques, also a component of civil society, wield heavy influence (both positive and negative) within the community, both culturally and socially. The discussion used the example of the Zakat Committees and their power within Gaza society. Questions were raised, however, as to whether or not tribal reconciliation committees are in keeping with the notions of civil society in terms of preserving and strengthening the social fabric. Is it possible for these types of institutions to provide a real alternative to modern development institutions? Participants debated the relative effectiveness of a system of laws and an active judiciary as compared to the reconciliation committees. The debate highlighted the conflicting public perceptions and valuation of traditional versus modern institutions in Palestinian society.

- **Participation in decision-making:** Consensus exists with regard to dominance of autocracy and the absence of democracy in official PNA institutions and civil society organizations. According to one workshop participant, it is impossible to fully activate community potential, a prerequisite for empowerment, without democracy. Additionally, the ambiguous regulatory and political relationships between the PNA and civil society organizations further retard empowerment. For example, civil society organizations do not actively influence the creation of government policies and are not permitted to effectively advocate for the interests of social groups they represent or to defend their right to participate in the decision-making process.

- **Funding and donors:** One of the workshop participants described external aid as a conspiracy against the Palestinian people. In his opinion, external aid has turned Palestinian institutions into beggar institutions, weakened the work of Palestinian NGOs and transformed their staffs from effective social advocates into employees. In a similar vein, some donors were accused of contributing to widespread institutional corruption by ignoring illegal practices.
within certain institutions and allowing the emergence of an “NGO elite”, people who enrich themselves personally through NGO activities. Some donor practices, such as the requirement of one donor for all NGOs receiving its funds to sign a “terrorism certificate” have resulted in internal conflicts within the NGO community as well as bred hostility between NGOs and the communities they serve. These criticisms were balanced by recognition among workshop participants of the valuable impact donors have made on the managerial and technical operations of most NGOs.

• **Trust in civil society organizations:**
  In general, a negative perception exists toward institutions with political origins, whose numbers are on the rise within Palestinian civil society. Others believe that the large number of civil society organizations connected to government activity is a positive indicator, although limited in scope. Autocratic organizational systems, lack of leadership rotation, accountability and transparency in others, and deference to donors in some cases and to the PNA in others, are all factors which erode the public trust. Severe criticism was directed at the politicization of civil society organizations and at the practice of the PNA’s employment of civil society leaders in official positions. Some participants also noted the lack of coordination between civil society organizations and the PNA; governmental inefficacy and its failure to discharge its responsibilities; and the prevailing security anarchy, which have all contributed to the malfunctioning of civil society organizations and diminished public confidence. Another frequent observation was made as to the declining role of civil society organizations under the PNA compared to the role they assumed in society prior to the government’s founding.

Criticism of PNA operations is linked to criticism of the activities of political movements and parties. Political parties acknowledge that they are all experiencing different degrees of crisis.
In response to public criticism, political parties claim to have been the catalysts for the development of civil society prior to the establishment of a functioning government. Therefore, they consider themselves to be the groups most capable of addressing the ongoing issue of social fragmentation.

In support of this view, those holding it add that the unified central leaderships of governmental and NGO structures represent a broad spectrum of political groups, unions, associations and NGOs, which provides an effective organizational base from which to transform political positions into practical measures. However, political parties criticize civil society organizations for competing with them in the political realm.

Some participants also expressed the hope that modern civil society organizations will play a more effective role in the empowerment and development processes. Trust in modern civil society organizations, as reflected by workshop participants, ranged from moderate to severe criticism. Participants differentiate between trust in developmental institutions and trust in those who provide direct emergency relief. In this context, it was observed that some institutions have shifted their focus from development and empowerment to relief, as demanded by increasing levels of poverty with in Palestinian society.

Workshop participants attribute the problems discussed to several factors, including: low level of public awareness, lack of realistic assessment of the characteristics and composition of Palestinian society, and failure of many civil society organizations to adequately address the issue of sustainability, instead focusing on the management of projects with a short time horizon. Organizations have failed to carry out their role in increasing public awareness of Palestinian realities and the specificity of the Palestinian context. Some additional factors cited were that organizations were established to serve certain purposes, including political agendas, which serves to diminish the public trust. Other institutions – as the case in Gaza – have a too-limited focus; and some pay lip service to care for marginalized groups, but their resources are channeled to serve other purposes.

- **A developmental vision:** Workshop participants largely shared the view that the absence of a shared developmental vision stems from the lack of coordination between the PNA and civil society organizations. They believe the absence of vision allows donors to impose their cultural, political and social agendas on Palestinian society. A consensus exists on the need to build a Palestinian developmental perspective based on cooperation between PNA and civil society organizations.

**Box 4-6: Civil Society Organizations and Public Opinion**

Results of the June 2004 poll by the DSP indicate that 38 percent of those polled believe that civil society organizations fulfill their role as participants in the development process in Palestine. In addition, 34 percent believe that political movements and parties actually provide solutions to social and political problems. The poll indicates that the majority of respondents appreciates the role of civil society organizations, and at the same time expresses a low level of trust in official institutions. On the other hand, 62 percent of the respondents believe that the private sector does not work adequately to solve the economic problems of the country and 61 percent believe that it discriminates among workers.

Geographic fragmentation and disintegration of the Palestinian social fabric -human and cultural - represent some of the most serious challenges facing Palestinian society at present. It is appropriate to utilize time-tested methods of action effectively utilized by the Palestinians during past decades and to learn from the rich body of human experience in order to formulate a sustainable vision for the future of Palestinian society.
Conclusion:
Geographic fragmentation and disintegration of the Palestinian social fabric – human and cultural\(^{16}\) – represent some of the most serious challenges facing the Palestinian society at the strategic level at present. Civil society organizations operate within an environment fraught with political, economic and social complexity. They have tried to adapt to that complex environment in order to respond to their community responsibilities and meet their goals. Some of the most important issues facing Palestinian society include: establishing mechanisms to manage the modernization of the society, the role of civil society organizations in this context, and their problems with government institutions. At the structural and behavioral level, civil society organizations (including parties, associations and organizations) face several challenges, mainly: the problem of increasing internal corruption; and the problem of deference to donor priorities, with some serving as contractors for the implementation of donor’s social and political agendas. In addition, civil society organizations suffer from the growth of the “shop”\(^{17}\) phenomenon. The ongoing debate in the Palestinian society represents the struggle between rational modernization and traditionalism and the need for a dialectic relationship between traditional and modern structures in order to ensure delivery of a better set of social services.

In addition, the international arena has not been reliable in terms of ridding Palestine of the occupation. This complex situation requires unconventional solutions, mainly the engagement of all Palestinian society’s institutions and capacities and the elimination of internal conflicts in order to focus on ending the occupation. Certainly, this purpose can not be achieved through traditional development methodologies and a fragmented empowerment process. Therefore, it is appropriate utilize time-tested methods of action effectively utilized by the Palestinians during the past decades and to learn from the rich body of human development experience in order to formulate a sustainable vision for the future of the Palestinian society. Chapter 6 of this report will address such a vision.


\(^{17}\) The term “shops” evolved in the early 1980s to reflect the abuse of the concept of development for making profits.