

NGO Action and the Question of Palestine Challenges and Prospects

Ending 30 years of Occupation - The Role of NGOs

Sharing Experiences, Developing New Strategies - Regional Assessment

Dr. Mahdi Abdul Hadi

Head of the Palestinian Academic Society for the Study of International Affairs (PASSIA),
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The socioeconomic behavior of the Palestinians tends to be very individualistic due to the various ups and downs in the political environment that shaped their lives throughout the 20th century. In their struggle for freedom and independence they organized themselves under various rulers to preserve and develop their national identity.

Under the Ottoman-Turkish rule, they established cultural societies and various clubs to advocate on public policy issues and to mobilize the masses to achieve their goals. These organizations were traditionally based on religious and family affiliations and were led by prominent personalities.

During the British Mandate, Palestinians established a mixture of religious, family-related and political organizations to pursue practical and specific projects in the socioeconomic field as well as to express and publicize their political aspirations. The organizations of these period maintained the traditional linkage to the main families and prominent figures.

Under Jordanian/Egyptian rule, things changed. Palestinians in the West Bank and the Gaza Strip established a variety of professional and charitable organizations to address the needs of certain social constituencies and to either assist, complement or oppose the respective ruler's policies. The leaders of these NGO-like bodies no longer came from the traditional background but from a new, educated political elite.

A new chapter in the history of the Palestinian NGO community began with the Israeli military occupation of the West Bank and Gaza Strip in the course of the June 1967 War. During the first decade of occupation, the Palestinians were confronted with three major challenges, which reflected on and shaped their organizations:

- One)the Israeli occupation policies and practices which threatened their national identity and existence, and left their future vague;
- Two)the absence of a government or political national address to set strategies and lead the local resistance;
- Three)the battle to maintain and develop their linkage with the Arab World.

The Palestinians adopted a strategy of steadfastness (*sumud*) that guided their lives during the first two decades under occupation. They succeeded in maintaining the *status quo*, in developing their human resources and in providing services to their society. They also secured the funding access for their NGOs, mainly channeled through UNRWA (refugees), Church-related institutions (charities, schools, hospitals), Jordanian governmental funds (municipalities, charitable organizations), Arab countries (to strengthen and preserve the steadfastness as decided at the Baghdad Arab Summit in 1978), as well as official US government funds through American Private Voluntary Organizations (PVOs) that aimed at 'improving the standard of living'. The latter funding was coordinated with the Israeli occupation authorities, while all other aid, Arab and foreign, was directly arranged with the Palestinian recipients.

With the third decade of Israeli occupation, Palestinians initiated a new chapter of their resistance under the banners of the *Intifada*. This meant to change the *status quo* (ending Israeli occupation) and to build a new society on national soil without waiting for a solution to come from outside. The *Intifada* succeeded in:

- Palestinizing and promoting national unity of the society and starkly reminding the world of the Palestinian cause and gaining a renewed recognition and sympathy;
- demonstrating that the green line was a definitive border line, inasmuch as the Israelis were reluctant to cross into the OPT while Palestinians were not allowed to cross into Israel. Palestinian stones keep Israelis away from the OPT and Palestinian knives kept Palestinians away from Israel.
- In terms of leadership, the well organized factions formed the United Leadership of the Uprising (UNLU) and established a wide range of popular and neighborhood committees, which, along with the foundation of various independent organizations, research centers and other institutions, increased the number of NGOs to over 2,000.

During the years of the *Intifada*, the NGOs developed new strategies and methods. Concrete projects for certain target groups and resistance cells operating underground were added to the common mass campaigns and voluntary community work. They provided all kinds of services, promoted democratic values, and mobilized the masses to foster the *Intifada* and its goals. They also build coalitions and lobbied their cause and tried to build public opinion for their demands and aspirations. The diversity of NGOs and their activities during the *Intifada*, as well as their ability to maintain and even increase funding - the main source being the PLO, Arab states, European and US NGOs and governmental agencies - contributed a great deal to their insti-

tutionalization within the society, despite Israeli policies of outlawing and closing down Palestinian NGOs and grassroots committees

Pluralism has thus been a feature of Palestinian life for almost three decades, during which the absence of a national government and the Israeli occupation resulted in the establishment of hundreds of NGOs, many of which were established by political factions, partly in order to extend their influence in society by providing services; the NGOs were active in a variety of fields (e.g. labor and student unions, professional, charitable and health associations, women organizations, think tanks etc.). This not only enabled a high degree of social and political mobility but also laid the foundation for a Palestinian civil society. It was also from within the NGO community that the technical committees were born. They were created on a consensus basis, representing all factions and political streams, in order to formulate Palestinian positions on many issues (e.g., housing, land, water, agriculture, education, health etc.), and, later, to assist the Palestinian negotiating team during the Madrid Peace Conference.

Following the Declaration of Principles and the subsequent agreements signed between the PLO and Israel, the Palestinians have acquired a new status, according to which they must perform many of the functions of a state, even though they have not attained formal statehood.

With the establishment of the PNA, the Palestinian NGOs found themselves at a new crossroads with two major options:

a) to be 'absorbed' within the authority's structure, for one or more of the following reasons:

- a) many of them were established and funded by the PLO;
- b) several of their leaders joined the PNA as a natural consequence of political events;
- c) some lacked the creativity to cope with the new political environment and joined the PNA out of a fear of becoming extinct;
- d) those focusing on issues such as housing, education or health now fall within the responsibility of the various PNA ministries.

b) to remain independent and continue to work outside the government structure. This category, mainly NGOs from the opposition factions and those that are not directly related or linked to the activities of the PNA and its ministries, such as think tanks, research institutes, human rights or women's organizations, is divided into two groups:

- a) those, mainly in the Gaza Strip that tend to comply to the PNA Ministry of Justice's stipulations that regulate registration, functioning and funding;
- b) those that refused such regulation unless there would be a proper legal framework and are now in a dialogue with the PNA.

Another major change the Palestinian NGOs are facing is of a financial nature: since the occupation, they were the only organizations that promoted development, and this tremendous responsibility was met by millions of dollars in financial and technical assistance from various donors. After Oslo, however, the donor community diverted much of the funds that used to support NGOs to the PNA to set up its administration and infrastructure. The shift in funds affected to a large extent secular NGOs and their services, which in turn strengthened Hamas and other Islamic movements' social networks and weakened the forces within civil society that can act as counterweight against fundamentalists. A related problem is caused by the fact that the PNA, considering itself as the legitimate authority whose responsibility it is to decide on development goals and priorities, insists that all funds be channeled through its own agencies, which then allocate the money to the NGOs. In order to secure funding mechanisms for the NGOs independent from the PNA, the World Bank came up with the idea of establishing a NGO Trust Fund, which is now being administered by the Welfare Association in cooperation with the British Council in the Palestinian Territories.

A third concern for the future of the NGOs has to do with regulation and registration. While there are still various laws - Ottoman, British, Jordanian, Egyptian, and Israeli - governing the Palestinian territories, the PNA Executive has still not approved the Basic Law, thus delaying the endorsement of all other laws passed by the Legislative Council, including the Law Concerning Charitable Societies, Social Bodies and Private Institutions, to which the NGOs are subject. At the same time, the PNA is pushing the NGOs to register, but there is still some confusion as to which ministry is responsible for registering which NGO. This does not apply to the NGOs in East Jerusalem, which are forced to abide by the regulations of the Israeli authorities and are registered either under the old Ottoman charities law, or as private companies, or according to stipulations set by the Israeli Ministry of Interior.

As the PNA works to regulate its NGO community, there is great concern among the NGO and international donor communities about the way in which the PNA will establish its mechanism to govern, coordinate and share responsibilities with the NGOs under its auspices. The legal and regulatory frames within which NGOs operate are an indicator for governmental performance vis-à-vis society in general (e.g., freedom of expression and assembly, human rights). In Egypt, most NGOs are subject to Law 32 of 1964 requiring NGOs to refrain from 'political' activities and empowering the Ministry of Social Affairs to interfere in their elected councils, thus keeping governmental control over their activities. In Jordan and Yemen government officials encourage the establishment of substitute organizations affiliated to governmental institutions that are to compete with those already existing. In some cases, such as Sudan and Iraq, the NGO sector is completely repressed if not co-opted. In Yemen, cases were reported in which state authorities went as far as 'advising' members of syndicates on how to vote in the syndicate elections.

In recent years, coordinating efforts within the NGO community have increased considerably although their coalitions have a rather limited mandate. The main reasons for these coalition-building efforts are to complement each other's work, to develop a stronger voice by being represented as a group, to strengthen one's legitimacy, to widen the recognition of one's activities, to build bridges, exchange experience, and expand connections.

Traditionally, many of the NGOs were members of the General Union of Palestinian Charitable Association, or part of professional unions. Today, the most active body is the Palestinian NGO Network (PNGO) with some 70 members. There is also a trend among NGOs to create networks among organizations with similar activities, such as the Educational Network in Ramallah; Women's Unions; the Association of Palestinian Policy and Research Institutions (APPRI), currently comprising of five research centers; and the Palestinian Council for Justice and Peace (PCJP), that aims to promote solidarity with the Palestinian cause and to mobilize NGOs inside and in the Diaspora. A broader effort to bring together Palestinian and other Arab institutions was launched with the Arab Research Network, gathering NGOs from Egypt, Palestine, Jordan and Lebanon.

Building a strong NGO community in Palestine is a precondition for enduring political stability and legitimacy, economic growth and sustainable development, and has three complementary aims:

- responding to the humanitarian needs of the people and serving the society,
- strengthening democracy and civil society (NGOs serve as a catalyst for creating a climate of tolerance and pluralism and help establish democratic structures)
- working towards a constitutional government in their role as intermediaries between interest groups and the government.

These goals should ideally be part of the criteria according to which the relationship (project identification and prioritization) between funders and Palestinian NGOs is shaped. Nevertheless, there is also a danger that NGO activities are skewed towards the interests and agendas of the donor rather than at local development priorities. Dependence on donors may lead to the NGOs re-prioritizing their own agendas, i.e., in order to obtain the needed funding to run projects, they may tend to reformulate their self-stated goals and to adopt development approaches dictated by the donor's aid system.

NGOs may have less money than before but their determination is still strong and they are not going to give up. NGOs need to develop long-term vision and to restructure themselves for the challenges of a new era. For the coming years, as part of their state-building efforts, the priorities for the Palestinian people will be establishing/reconstituting institutions, improving human resources, applying the rule of law, restoring the services sectors and infrastructure, and focusing on priority areas thus far neglected by the donor community, mainly Jerusalem.