

CIVIL SOCIETY EMPOWERMENT

Governance Issues in Palestine

Rule of Law

Democracy

Decentralization

State-Society Relations



PASSIA

**Palestinian Academic Society for the
Study of International Affairs**

Civil Society Empowerment

Governance Issues in Palestine

**Rule of Law
Democracy
Decentralization
State-Society Relations**

PASSIA

Palestinian Academic Society for the Study of International Affairs,
Jerusalem

PASSIA, the Palestinian Academic Society for the Study of International Affairs, is an independent Palestinian non-profit institution, not affiliated with any government, political party or organization. PASSIA seeks to present the Question of Palestine in its national, regional and international contexts through academic research, dialogue and publication. PASSIA endeavors that research undertaken under its auspices be specialized and scientific and that its symposia and workshops, whether international or intra-Palestinian, be open, self-critical and conducted in a spirit of cooperation.

PASSIA's *Civil Society Empowerment – Promoting Good Governance* has been designed to assist in the search for good governance practices that will help promote the adherence of the public sector to democratic values and foster respect of the rule of law in the emerging Palestinian state through initiating a constructive dialogue with national and foreign actors. This publication contains the proceedings of the project.

The PASSIA program on *Civil Society Empowerment* was kindly supported by the United States Agency for International Development (USAID), West Bank and Gaza Mission, American Embassy, Tel Aviv.



Copyright © PASSIA
July 2004

PASSIA Publication 2004
Tel: (02) 6264426 • Fax: (02) 6282819
E-Mail: passia@palnet.com
PO Box 19545, Jerusalem
Website: <http://www.passia.org>

C O N T E N T S

Introduction	1
--------------------	---

Rule of Law

Introduction	3
The Rule of Law – General Concept	3
The Rule of Law – the Palestinian Case	4
Future Tasks/Recommendations	13

Democracy & Democratization

Introduction	17
The Concept of 'Democracy'	17
Democracy and Islam	19
Palestinian Society and Democracy	21
The PA, the Oslo Period, and Democratization	24
Recommendations	27

Decentralization and Local Government

Introduction	31
Decentralization - A General Overview	31
Decentralization in Palestine	35
Recommendations	39

Civil Society-State Relations

Introduction 43

The Concept of Civil Society 43

Civil Society-State Relations in Palestine 45

Recommendations 53

Selected Bibliography 55

Webguide 71

I N T R O D U C T I O N

The project *Promoting Good Governance* was based on the notion that the achievement of good governance (transparency, accountability, rule of law, minority rights and absence of corruption) is a learning process that could be most effectively assisted by capitalizing upon own experiences and that of other emerging democracies or states in transition. It aimed to help develop a responsive, efficient and credible public sector, with a transparent legal system and independent judicial institutions. The latter is particularly important given the fact that in countries transitioning to democracy, and the Palestinian case is a good example, the system is often weak and torn between incompatible institutional mandates and traditions. Moreover there is often a tendency to revert to more familiar patterns of authoritarianism – as displayed in the neighboring Arab states - and abuse of power rather than fostering the rule of law. The project placed emphasis on the transparency and accountability of governmental structures and policies that would enable citizens to participate more fully in the political life.

Promoting Good Governance had a research and a workshop component. As part of the former, PASSIA established a resource database on experts and expertise in the field of 'governance' from within countries, which share similar experiences. Relevant material is made accessible via PASSIA's homepage (at <http://www.passia.org/goodgov/database.html>).

The other project component was a series of roundtable meetings and workshops dealing with the following main subtopics: *The Rule of Law, Democracy and Democratization, Decentralization and Local Government, and State-Society Relations*. In these meetings local civil society practitioners, rights activists and persons with a similarly relevant background or interest came together to brainstorm and discuss existing work undertaken locally in the subject areas as well as to identify topics to focus on in the future with regard to the Palestinian case.

Special workshops were also held involving experts/speaker(s) from other emerging democracies, with the purpose to capitalize upon the experiences of other states in transition, including an in-depth look at

Promoting Good Governance

the best practices they developed, their failures, missed opportunities and lessons learned, and, to develop, based on this, new and relevant methods for the Palestinian case. PASSIA believes that such discourses - learning what others have to say about success and strategic failures on the road to functioning democratic and legal systems - can help developing new, relevant methods for the Palestinian case.

Each subprogram was wrapped up with recommendations and ways of how to introduce and implement the necessary policies to improve the situation at the national Palestinian level.

In the following, the proceedings and recommendations of the four subprograms are presented with the aim to give the reader an insight into the state of *the Rule of Law, Democracy and Democratization, Decentralization and Local Government*, and *State-Society Relations* within Palestinians society and an assessment of the tasks and priorities ahead.

The analytical-descriptive part of this booklet is followed by a selected bibliography for each of the above topics and a comprehensive webguide offering further research recommendations for all those interested in the subject matter.

Jerusalem, July 2004

Dr. Mahdi Abdul Hadi
Head of PASSIA
Jerusalem

T H E R U L E O F L A W

Introduction

One of the main strategic fields relating to democratic transition and good governance is the establishment and consolidation of the rule of law. Although this alone does not guarantee democracy, it is, along with the fair application of justice, an important precondition. The failure to strengthen the rule of law weakens public confidence in the system and may lead to the de-legitimization of legal institutions and an escalation of crime and power abuse. In Palestine, the separation of the Judiciary from the Executive has been a long-standing demand, especially as presidential powers undermine the independence of the former. In addition, an ineffective legal system creates an unhealthy investment climate by creating uncertainty regarding the process and outcome of commercial disputes.

PASSIA's 'Promoting Good Governance' project aimed at looking at rule of law activities in the Palestinian Territories and elsewhere, at the actors who were involved in the drafting of laws, the instruments and approaches that were used to promote the rule of law, the methods used to develop and institutionalize effective governance capacities, the participation of the different segments of society in the process of policy/law formulation, if and how respect for individual human rights was ensured, and which (institutional) methods of conflict resolution have proven useful with regard to different types of sociopolitical conflicts. Based on these and other examinations, recommendations for future (donor) activities in the field were developed.

The Rule of Law – General Concept

The International Commission of Jurists defines the rule of law as follows: "Legislation passed by parliament, which represents the electorate, is the instrument through which people's sovereignty is imposed on the administration, preventing it from becoming an autocracy. The

role of the independent judicial organs is to check that these ideals are correctly applied. This is what is meant by the Rule of Law.¹

The concept of 'rule of law' implies a guarantee for all people of basic human rights and fair, equal treatment before the law. To achieve this and in order to eliminate all forms of abuse or the arbitrary use of authority, be it on the part of governments or individuals, a transparent legal system is as essential as the existence of strong and effective judicial institutions.

In the absence of the rule of law, neither democratic structures nor civil society can develop in the desired way. The executive and legislative branches of government can act in an unrestrained manner and even, in some cases, without paying any attention to the well being of citizens, thereby helping to contribute to the impeding of the country's economic development.

A less tangible but very important factor regarding the implementation of the rule of law and the existence of an independent judiciary is the expectations of the society that both would serve, i.e., if the society in question were to demand a fair and impartial judicial system, it would be more likely to work toward it and eventually get one than a society with low expectations would be.

Rule of law efforts undertaken in developing democracies generally focus on reforms to strengthen judicial administration and independence as well as on improving the accessibility of all citizens to justice. A major problem faced by countries transitioning to democracy is that their respective judiciaries are widely considered a tool of the State and thus regarded with disdain.

The Rule of Law – The Palestinian Case

After ten years of Palestinian 'autonomy,' the observation of the rule of law has not yet become a stable feature within the Palestinian (political) system, which is due, at least in part, to disempowerment on the part of the Israeli occupation and a Palestinian Executive that inhibits the formation of an independent judiciary. The rule of law, however, is

¹ The International Commission of Jurists, Center for the Independence of Judges and Lawyers, *The Civilian Judicial System in the West Bank and Gaza: Present and Future*, June 1994, p.78.

crucial in terms of spreading a culture of social respect and shared values among Palestinian society.

The main obstacles with regard to the widespread existence of the rule of law in Palestine have historical-cultural causes and are therefore difficult to eradicate. Many of the problems Palestinian society faces are the same as those that apply to other Arab countries, i.e.,

- Inefficient judicial administration;
- Low law-enforcement capacity;
- Lack of judicial independence;
- Poor quality legal training;
- Existing laws that are either not equitable or else applied inequitably;
- Individual and minority rights that are not guaranteed.

To understand the current rule of law developments in Palestine, the constitutional and legal developments of historical Palestine must be kept in mind.

Background

Pursuant to the May 1994 Gaza-Jericho Agreement and the September 1995 Interim Agreement, Israel transferred much of the responsibility for civil government in the Gaza Strip and parts of the West Bank as well as authority over a police force responsible for public order and internal security to the Palestinian Authority (PA) while retaining responsibility for external security, foreign relations, the overall security of Israelis, and certain other matters. The PA was further given rights relating to the enactment of laws, regulations, and other legislative acts, but since Israel has a veto power when it comes to such legislation, the legislative autonomy of the PA has remained very limited.

In conclusion, it can be said that the prime motivation behind the creating/formulating of the two agreements mentioned above was the desire to ensure the existence of a regime that guaranteed utmost security for the State of Israel.

Promoting Good Governance

In January 1996, democratic elections produced the first elected Palestinian Government consisting of a President (Chairman of the Executive Authority) and an 88-member Palestinian Legislative Council (PLC), with the task of legislating within the framework stipulated within the agreements signed with Israel.

The Legal System

One of the problems Palestinians face is the prevailing legal system. A viable state must have a legal system that is both functional and reliable, but the Palestinian reality is characterized by the fact that a combination of numerous laws was imposed on Palestine during various historical periods and applied in different parts of the West Bank and Gaza. Briefly, these laws include the following:

- *Customary Law*. System of rules outside the court system known as *urf* ('the known') that handles disputes based on traditional oral customs (e.g., contracts, family disputes, personal injury, and land matters) and stresses conciliation, mediation, and family honor.
- *Ottoman Law*. Code of law that mirrored Islamic Law (*Shari'a*) and incorporated elements of European laws.
- *British Law*. Supplemented the Ottoman statutes with British Common Law and equity. Introduced legal education and the independence of the Judiciary but was complemented by the British Emergency Regulations, which gave the High Commissioner substantial powers in the interest of suppressing rebellion.
- *Jordanian Law* (in the West Bank): Replaced most Palestinian laws after 1950 but whilst retaining many Ottoman laws.
- *Egyptian Law* (in Gaza): Laws carried over from the Mandate period, supplemented by decrees of the Egyptian governor issued in the name of the 'people of Palestine.'
- *Israeli Law*. Added countless military orders to existing laws, thus effectively replacing previous laws and judicial functions, often in violation of International Law and human rights.

- *Intifada Law*. Quasi system of laws and tribunals applied during the 1987-90 *Intifada*, which further destroyed the people's faith in an institutionalized legal order.
- *Palestinian Authority*. President Arafat decreed as follows: "All laws and regulations and orders that were in force prior to June 5 1967 shall remain valid." Thus, Palestinian Law remained in effect in Gaza and Jordanian Law in the West Bank and the court system remained in place. An additional problem associated with the emergence of the PA is the centralized authority of the President, who appoints judges and trial courts and who frequently rescinds sentences, etc.

It should be noted in this context that in addition to the state of turmoil that exists with regard to the current legal system, the Palestinians have experienced and been influenced by the ignorance and failure of the international community to abide by the rule of law in terms of International Law. In addition, the decades of arbitrary measures on the part of the Israeli occupation authorities have left negative imprints on the overall situation.

The Judicial Structure in the West Bank and Gaza Strip²

The West Bank Judiciary follows the continental Latin tradition of law, while the courts in Gaza function according to the Anglo-Saxon legal tradition.

West Bank

At the beginning of Palestinian self-rule, the Palestinians inherited a three-tier Jordanian judicial system with independent **Shari'a Courts** (issuing decisions regarding personal status matters involving marriage, divorce, inheritance, guardianship of children etc., between Muslims, and reviewing cases involving Waqf holdings and their administration), two **Municipal Courts** (*Mahkamat Al-Baladiyya* - enforcing local ordinances, regulations and public health codes), nine **Magistrate Courts** (*Mahkamat As-Sulh* - dealing with cases involving debts, property, damages, real estate, and minor crimes), and four **Courts of First**

² This paragraph is based on Chapter 4 of Victoria Wagner, *Palestinian Judiciary and the Rule of Law in the Autonomous Areas – An Introduction*. Jerusalem: PASSIA, 2000.

Promoting Good Governance

Instance (*Mahkamat Al-Bida'iyya* - ruling on all civil and criminal matters not falling within the jurisdiction of the Magistrate Courts). All of the aforementioned courts are located in major West Bank towns. In addition, there is a **Court of Appeal** (*Mahkamat Al-Isti'naf*) in Ramallah to hear all appeals concerning criminal and civil cases heard in lower courts; having assumed the role of the Jordanian Court of Cassation in Amman, it serves as a High Court of Justice, reviewing legislation and ensuring the independent administration of the law.

The **Attorney General** is a government-appointed functionary who serves as the *de facto* Chief Legal Officer, performing in both prosecution and defense capacities on behalf of the State before the courts.

The **Minister of Justice** holds principle responsibility for the courts and the Judiciary, is the Executive's representative to the Judiciary, and represents the Judiciary before the public.

Gaza Strip

The Judiciary in Gaza consists of a three-tier system. The first tier consists of independent **Shari'a Courts**, the second of **Magistrate and Municipal Courts, Central Courts** (ruling on all crimes except those brought before the Criminal Court and issuing decisions concerning appeals against judgments of Magistrate and Municipal Courts) and **Criminal Courts** (which in practice were transformed into military courts and try cases involving capital crimes - treason, manslaughter, and rape), and the third of a **Supreme Court** (serving as a Court of Appeal, trying specialized cases, and supervising the Judiciary but without having the authority to consider petitions pertaining to public authorities and thus prevented from questioning the decisions of the Executive and from protecting citizens' rights).

In addition, in both the West Bank and Gaza Strip there at one point existed **State Security Courts**, which were established by a presidential decree in February 1995 to try cases related to internal or external security. Those working for these courts were recruited from among the military and it was the head of the Executive Authority (i.e., President Arafat) and not the Attorney General who had the right to decide whether a case should be brought before them.

It is important to stress at this point that the Palestinian court system has suffered a great deal from reduced jurisdiction (e.g., in relation to

land and security issues) and Israeli interventions during the years of occupation.

The Rule of Law and the Palestinian Authority

Problems relating to the observation of the rule of law in Palestine are manifold. To start with, many of the current judicial problems originated in pre-PA times, including insufficient resources, antiquated court procedures and record keeping, lack of skills and training, and legislators with no experience in drafting and/or reviewing laws.

Further constraints were imposed by the interim accords signed between Israel and the Palestinians, which imposed movement restrictions between the West Bank and Gaza Strip as well as within the two territories, created different levels of jurisdiction (Areas A, B and C), and imposed security requirements on the PA that had far-reaching consequences for human rights and judicial processes.

With the formation of the PA itself, additional problems arose. For example, the autocratic, patriarchal leadership with a huge, inefficient bureaucracy that emerged worked - especially in the case of the 'PLO returnees' - according to political patronage whilst totally ignoring the need to appoint individuals based on their having the necessary academic or professional qualifications. Moreover, it condoned corruption as a means of rewarding allies.

The situation today is much the same. President Arafat continues to dominate all governmental affairs and decision making, which has often resulted in the undermining of High Court rulings and a lack of faith in security agencies, which do not enforce such rulings. The repeated failure of the Executive to implement court orders is a clear indication of its lack of respect for the Judiciary. Moreover, it has contributed to the erosion of the citizens' trust in legal procedures. It should be noted here that many of the moves taken by the PA were brought about by the imposition of Israeli demands in negotiations, especially with regard to measures against internal opposition to the peace process.

One major problem involves the State Security Courts established by the PA in 1995 to try security-related cases (mostly against opposition members) outside the civilian judicial system. The Ministry of Justice had no jurisdiction over those courts, nor was there a right of appeal,

but the court's decisions were subject to the President's confirmation or rejection. The move was locally and internationally criticized as circumventing the rule of law and weakening judicial authority but welcomed by Israel. It was only in April 2003, as part of the PA's reform efforts, that then PA Interior Minister Hani Al-Hassan announced that the State Security Courts "no longer exist," adding, "From the outset, the establishment of this court was not legal."

Another problem relates to the fact that countries that demand that the PA respect the independence of the Judiciary then turn a blind eye to its decisions when they are not to their liking. This was, for instance, the case with the head of the PFLP, Ahmad Sa'adat, who remains in custody despite a Palestinian Supreme Court ruling to the effect that his incarceration was illegal and that he should therefore be released. Worthy of mention is the fact that Sa'adat is being held in a prison in Jericho, where the jailors are British and American, and neither the US, nor Britain, nor Israel, which considers him the head of a 'terrorist' organization, would allow the PA to comply with the court decision.

This is not an uncommon occurrence nowadays, when Western countries welcome and encourage democracy in Muslim majority countries whilst at the same time displaying fear concerning the possibility that popular elections could result in Islamists gaining power there. They want free and fair elections, but only if these fair and free elections produce 'desirable' results.

Another problem area is embodied in the overlapping authorities assumed by the Palestine Liberation Organization (PLO)/Palestinian National Council (PNC) on the one hand and the PLC on the other. While the PLO has always been the representative of all Palestinian people both inside and outside Palestine, the PLC was severely limited by the Oslo Accords, including in terms of its jurisdiction being limited to the West Bank and Gaza only, which did not help to boost its legitimacy.

Further problems include inadequate cooperation and communication between the various governmental departments, the system of intermingling jurisdictions, Israeli-imposed movement restrictions, weak relations with constituencies, and a legal system that has yet to be consolidated. With regard to the latter, the main difficulty stems from the fact that the judicial structure, in addition to the allocation of powers and responsibilities between the judicial agents, differs in practice between the West Bank and the Gaza Strip.

Finally, Palestine, as a Middle Eastern society, is characterized by the existence of tribal groups with their own 'laws' and customs, which means that legal subjection to external authority is often challenged by the fact that the said 'laws' and customs do not necessarily reflect acceptance of rule of law principles such as individual rights and liberties and equality before the law and tend, instead, to tolerate many forms of discrimination (according to gender, age, etc.). In the Palestinian case, the decades-long experience of occupation has strengthened even further the reliance on kinship groups and traditional institutions as well as the aversion against formal authorities.

One aspect of this is the existence of *Sulha*, which is a traditional form of conflict resolution rooted in tribal law. Applying to all kinds of criminal matters or civil disputes and conducted according to traditional and unwritten rules, it represents a popular and fast alternative to the official court system, not least of all because it is not hampered by bureaucratic procedures. *Sulha* settlements are often more respected in society than legal judgments are, especially in the absence of a tradition of the rule of law and the yet ineffective legal system. In most cases, the PA allows a *Sulha* agreement to replace a proper legal judgment, as long as both parties agree to this before the court.

Security Forces and Human Rights

Recurrent human rights violations occurring in the PA areas include arbitrary arrest, detention, torture, and the neglect of due legal process (e.g., the denial of visits by attorneys, periodic round-ups of members of political opposition groups, harassment of the media, etc.).

Human rights activists are frequently regarded as tools of the foreign parties that support them. Another problem in this regard is the widespread opinion that democracy, along with all its related concepts, is something 'Western' and is therefore inapplicable and that the Palestinian people need a strong force to rule them. It should not be forgotten here that many police recruits have internalized the ideologies of warfare rather than those of democracy, pluralism and the rule of law after having spent much of their lives in a state of war against the Israeli occupation.

The lack of respect shown to the Judiciary on the part of the Executive and the police has been most obvious in the failure of the latter to implement decisions made by the judicial organs. Needless to say, this

Promoting Good Governance

lack of respect for court decisions on the part of the law enforcement agencies has caused great harm to the Palestinian people's trust in their government and its agencies.

To complicate matters further, more recently, the question has been raised of how Palestinian society can be expected to govern and police itself when its security institutions have been systematically attacked, paralyzed, and destroyed by Israeli military authorities.

Rule of Law Efforts and Reforms

Implementing successful rule of law activities in Palestine is particularly challenging due to competing priorities between Constitutional Law, Family Law, and Commercial Law, and the corresponding prevalence of traditional institutions of Customary Law.

With the establishment of the PA, most of the donor-initiated rule of law activities focused first on the electoral system and then on legal education/training and on strengthening the Judiciary, including the legal professions and the PLC.

Rule of law development in the West Bank and Gaza Strip has been the recipient of generous support from the international community in terms of technical, training, and financial assistance. The main recipients to date have included the Ministry of Justice, the PLC, members of the various legal professions, the Institute of Law at Birzeit University, the Palestinian Independent Commission for Citizens' Rights (PICCR), and a range of other non-governmental organizations (NGOs).

Early efforts on the part of the Palestinians to improve the rule of law situation in the Palestinian Territories included the establishment of the PICCR in September 1993 by a decree issued by President Arafat. According to its mandate, the organization is to act as ombudsman in Palestinian society through constantly striving to uphold respect for the rule of law by all official bodies.

In February 1996, a Draft Basic Law was adopted to provide a provisional framework for the State of Palestine pending the reaching of a permanent settlement. It stated that Palestine was a parliamentary democracy built on a separation of powers and it guaranteed the independence of the Judiciary.

In 1998, the PLC mandated the creation of a High Judicial Council to supervise judicial operations and enhance the judicial system and its independence (its creation was confirmed by President Arafat only in 2000).

The problem areas and needs relating to the rule of law remain extensive and are not a focus of current donor efforts.

Future Tasks/Recommendations

This section is based on discussions concerning the situation on the ground and the rule of law efforts that took place at PASSIA meetings during which a whole array of recommendations and future tasks regarding the proper implementation of rule of law activities in Palestine were suggested or developed.

The goals of rule of law development in the Palestinian Territories can be summarized as follows:

- Ensuring that public institutions function in accordance with the law, i.e., in a fair, predictable, and (where appropriate) transparent manner;
- Bolstering popular participation in law-making processes at both the local and national levels; and
- Ensuring that officials of the Palestinian Government and its various institutions are accountable to the citizens they represent.

One of the prime concerns in developing and strengthening the rule of law is to first assess *local* priorities, rooted in the Palestinian political culture and civil society, rather than impose the ideas and preferences of external forces, such as donors, whilst taking into consideration local circumstances, such as the ongoing political situation, impediments posed by the transitional Oslo arrangements, and cultural variables (familial affiliations, traditional decision-making and conflict resolution structures, etc.). For this to happen, it is of vital importance that the Palestinians themselves are committed - and empowered - to construct a system that addresses their needs in ways that are consistent with their legal and cultural traditions. Accordingly, efforts to strengthen the rule of law should address not only governmental re-

Promoting Good Governance

form and capacity building (i.e., top-down development), but also the roles of citizens and civil society (bottom-up development).

Donors should be aware that rule of law related issues are usually long-term goals and that great changes will not be accomplished quickly. In addition, rather than jumping to the big issues from the outset, rule of law programs should focus, at the beginning, on projects that are easy to implement, where success will be easy to achieve, and where support among local counterparts will be easy to gain, i.e., such as training programs and administrative support.

Key steps that have been identified for strengthening the rule of law include the following:³

- The main problem lies not in articulating laws but in implementing them; thus, what is needed is a well-structured plan and mechanisms that ensure the proper implementation of laws and that reflect the sociopolitical and cultural contexts existing in Palestine.
- A related major task is the consolidation of existing laws, legal systems, and procedures.
- In order to gain the required public support and keep the citizenry informed, improvements and reforms in the judicial sector must be publicized. This should include the promulgation of key pieces of legislation (such as the Basic Law, Judicial System Law, etc.).
- In order to improve law enforcement, steps must be taken to improve the physical infrastructure, including the (re) construction and equipping of police stations, forensic laboratories, prisons, etc., and the recruitment/training of qualified staff.
- Ensuring some improvement with regard to training and education in the legal professions is also important, especially in terms of conveying the message that the legal system in Palestine is one that serves the people.

³ Partially based on a concept paper submitted by Omar Dajani and discussed at a PASSIA roundtable meeting on 16 April 2002.

- Staff and management capacities must be equally improved to increase judicial effectiveness, i.e., the Judiciary's ability to handle its caseload in a timely way, and in order to gain the respect of the ordinary public.
- In order to reduce the caseload of the Judiciary, consideration should be given to the introduction of alternative dispute resolution systems.
- The clarification/clear definitions of roles and relationships (Executive and Legislative, police and security forces, Ministry of Justice, Attorney General, etc.) and the corresponding developing and issuing of regulations defining mandates, tasks, and job descriptions of various legal/security bodies and institutions are needed to add credibility to the legal system.
- The involvement of civil society, for example in the education system (introducing civic education, the provision of training) or in fields such as human rights advocacy, lobbying, conflict resolution, and other activities promoting the development of a more informed and democratically responsible citizenry is very crucial. Palestinian civil society can serve as a link between the public and the Government and, for example, exert pressure on the Authority, thereby helping to spread a culture that respects the rule of law. Within this sociological context, it may also be useful to examine which impediments to progress have resulted and continue to result from a lack of capacity on the part of NGOs and the Judiciary on the one hand and from a lack of will on the part of the people on the other. It should be noted in this regard that to date, there have not been many genuine attempts by society (and the PLC as its 'representative') to bring the Executive to account. It is therefore very clear that there should be a greater emphasis on civil society education and training.
- Rule of law efforts should also consider the belief of religious figures that it is the best to follow the Qur'an and religious rules and regulations as they, unlike manmade rules, promise social and cultural harmony and equality and justice among all the citizens of the society. This religious-Islamic influence requires further dialogue between the different social and governmental sectors and should be considered in future activities.

Promoting Good Governance

- Along with this goes the problem of terminology, which in the case of the rule of law is clearly predominated by Western vocabulary and expressions and is consequently often rejected from the outset as part of imposed modernization aimed at changing the indigenous culture. Here, efforts should be undertaken to see how an Arab-Islamic terminology or approach to rule of law enforcement could be developed and introduced.
- The rule of law is not necessarily a Palestinian priority; this fact must be borne in mind when introducing rule of law activities. The current situation in this regard makes it even more necessary to nourish or create an impetus from within, e.g., directed by domestic elites, so that rule of law efforts can be viewed as an internal dynamic rather than something imposed from outside or serving external agendas.
- A very sensitive issue, especially with regard to donor intervention, is the fact that the leadership does not comply with the law. In order to send positive signals to society and build respect for the leadership's efforts, it must be guaranteed that the Government will comply with the decisions of the courts. If the latter fail to exercise independent authority, they will be considered just another instrument of the Government. This, in turn, could discourage judges from issuing decisions unlikely to find favor with the Government and consequently face the risk of being overturned/ignored. For donors, this could be an area of policy dialogue with state agencies.

DEMOCRACY AND DEMOCRATIZATION

Introduction

Democracy and the process of democratization in the Arab World is a subject of intense interest to the international community and, of course, to the Arab people themselves. In the case of Palestine, the Oslo period, seen by many as the beginning of a process of 'state-formation,' was marked by widespread concern about the degree and pace of democratization efforts. Now, following the outbreak of the second *Intifada*, the issue remains a pertinent one, given the external and internal pressure on the Palestinian Authority (PA) to reform itself, prior to the commencement of negotiations on a lasting solution to the Palestinian-Israeli conflict and the increasingly vocal demands for an independent democratic movement that will deliver change and a new social agenda for Palestine.

Within this context, it becomes important to understand what has been achieved to date with regard to the promotion of democratic governance, why certain strategies have failed to produce results, and how to improve on or change the direction of the campaign in the future. Thus, Phase II of the 'Promoting Good Governance' project assessed the state of democracy in the so-called 'autonomous' areas and evaluated efforts towards greater democratization and the general concept of 'democracy,' as understood by Arabs and Palestinians.

The Concept of 'Democracy'

Democracy literally means 'rule of the people.' However, this extremely broad definition can be interpreted in numerous ways. In the Western tradition, the concept of democracy has its roots in ancient Greece, where city-states were ruled by their 'citizens' (wealthy men) directly, via popular assemblies. In modern liberal democracies, however, 'democracy' is understood in a representative sense; i.e., the people rule via elected representatives who speak and legislate on their behalf. The people are not directly involved in the governing of the state, except to periodically elect individuals to the national assembly, or to vote in special referendums.

Promoting Good Governance

Throughout the non-Western world, and particularly in the Middle East, there have been increasing efforts to 'promote,' and in some cases impose, democracy upon non-democratic states. Within the Arab World, there is a certain degree of suspicion with regard to this concept, and there is a common perception that what the West is promoting is not necessarily something desirable to Arabs.

There are two complaints leveled at Western democracy. Firstly, states in Europe, North America and elsewhere that call themselves democratic are not truly so. This was particularly apparent to many Arabs in the period leading up to the invasion of Iraq in 2003. Television screens across the globe were filled with images of huge demonstrations - sometimes involving millions of people - in London, Paris, Rome and even the US, but such widespread displays of popular dissatisfaction did not appear to impact on the policy formation process. This resulted, rightly or wrongly, in the perception that Western democracies are not as democratic as they claim to be.

Similarly, the widespread stories of American human rights abuses in Afghanistan, Iraq and Guantanamo, committed at a time when the US claims to be trying to spread 'democratic values,' have fueled popular anger at such blatant hypocrisy and have further eroded confidence in the American model of government. In addition, the US's 'selective' application of UN resolutions and other articles of International Law has seriously undermined its standing in the Middle East. Whilst Arab countries are repeatedly chastised for failing to meet their international obligations and sometimes face sanctions, US allies such as Israel and Turkey escape serious criticism and are permitted to ignore critical UN rulings. All these factors contribute to a widespread and perhaps legitimate distrust of US/Western 'democracy' in the Arab World and elsewhere.

The second complaint is that, even if Western states truly practiced what they call democracy, it is not something that Arabs would necessarily wish to emulate. In particular, there is a seemingly widespread view that local values and traditions would be compromised by the imposition of Western systems of governance in an Arab/Islamic country. Many Arabs seem to feel that 'democracy' must be adapted to fit the particular social conditions prevalent in the Arab World, arguing that democracy is not the same in all Western countries. For example, the system of governance in Switzerland is different from that in the UK and each country has developed a form of democratic governance that is in harmony with indigenous social and political traditions.

It is certainly clear, as the US experience in Iraq has amply demonstrated that Arabs will resist efforts to impose something they view as alien upon them without their consent. Efforts to promote democracy and democratic ideas within the Middle East must be conducted with the participation of the local population and cannot be imposed from above, in the manner of the US and other imperial powers of the past. Democratic movements must be indigenous and must develop from within the local social tradition if they are to stand any chance of being accepted. Recent attempts by Israel, and her allies in the West, to force the PA to reform itself as a precondition for talks, are unlikely to meet with success unless there is an accompanying reform movement within Palestine itself. It hardly needs to be said that such pressure on the PA does not stem from a genuine desire for reform, but rather a desire to contain and undermine the authority of the Palestinian leadership.

It has been suggested, for example by journalist and political analyst Rami Khouri,¹ that the Arabs could and should develop a form of 'Oriental democracy,' which Khouri defines as a system of power sharing between tribal and ethnic elites. Such a format would be a bridge between the totalitarian nature of many Arab regimes and the kind of fully-fledged democracy enjoyed in many Western countries. According to Khouri, 'Oriental democracy' would be a stage on the path to genuinely democratic forms of governance. It should be borne in mind here that Western states did not become democratic overnight and that democracy is something that emerges after decades and even centuries of gradual progress.

Democracy and Islam

In recent years, and especially following the attacks on the World Trade Center in New York on 11 September 2001, there has been a significant renewal of the debate on the relationship between Islam and democracy, and in particular, the compatibility of the two. In the West, this is often perceived as a predominantly Western preoccupation, but this paternalistic attitude ignores the substantive, widespread, and fertile debates within the Arab and Islamic worlds on this issue.

Like all religions, Islam is not essentially undemocratic nor is it essentially democratic; the compatibility of democracy and Islam depends

¹ See for example, Blanford, Nicholas. "How Iraqi Democracy Might Look," *The Christian Science Monitor*, 4 April 2003.

on the way the central texts of the religion are interpreted at a given point in time. Due to the widespread desire on the part of the Arab people for more democratic forms of governance, interpretations of Islam that are attuned to democratic values are increasingly common.

PASSIA's work on Islam and democracy yielded the following observations:²

- It is entirely possible to reconcile Islamic doctrine with democracy. Thinkers such as Sheikh Rashid Rida, the founder of the Muslim Brotherhood groups, and Sheikh Rashid Ghannoushi have argued that in the age of institutionalization, it is possible to combine Islamic authenticity with popular democratic participation.
- The relationship between 'Mosque' and 'State' in Islam is a complex one. Some scholars hold to the belief that they are one and the same and that religion cannot be separated from politics. Alternatively, others argue that there is and can be separation between the State and religion, and in fact, in the period of the great Islamic empires, non-state religious bodies were common.
- One interpretation is that the Islamic political system is based on the following characteristics: the rule of God, the sovereignty of the people, the Islamic state is one in structure but varies in form according to time and place. The ruler of an Islamic state is confined to following the word of God and the *Shari'a* from the basic sources. Obeying the ruler is compulsory as long as the word of God is followed. In case the ruler trespasses the word of God and does not rule with justice, then the people have the right to oppose him.
- Islam is against all forms of oppression and political corruption. God is just and the ruler must be so too. '*Shura*'³ is an important element on all fronts: social, economic, political, etc.
- To a large extent, Islam has given women the same rights as men, as well as the right to make political decisions.

² Based on a PASSIA Roundtable Meeting, 25 June 2003, with Sheikh Fathi Mansour on "Democracy and Islam." Detailed summary available at <http://www.passia.org/meetings/2003/June-25-Islam-Democracy.htm>

³ *Shura*: Arabic for consultation/consultative council. Usually comprised of *Ulama*, members of an advisory council of judges. In some modern Islamic countries, it is used to mean parliament or legislative.

A final point to make is that the attitudes of Islamic groups in Palestine tend to be less democratic than those of the secularists are. This suggests that if the power of the former increases within Palestinian society, as seems to be the case at present, this may lead to increased hostility towards democratic norms.

Palestinian Society and Democracy

The struggle for democracy and civil rights is not alien to the Palestinian experience. For many years now, Palestinian student unions, charitable organizations, vocational training associations, health and agricultural unions, research institutes and women's organizations, etc., have all been intimately involved in the search for freedom and a better social system. To date, however, these efforts have not borne fruit, for a number of reasons.

Palestinian society shares many of the same features of other Arab societies. It is patriarchal and feudalistic, with a clear stratification into distinct and separate social classes. However, Palestinian society is perhaps more unified - with less pronounced inequalities - than other Arab societies due to the common experience of dispossession at the hands of the Zionists. Nevertheless, there is a clear distinction between the 'elite,' who dominate the political movement, and the bulk of the Palestinian population. Women, the poor, and refugees are significantly under-represented in the Palestinian political system.

As with other Arab states, many of the values and attitudes included in the broad term 'democracy' were born in and developed in the West and are therefore not 'native' to the Palestine context. The concept of the modern state was imposed by European powers in the early 20th Century but is in many regards incompatible with Arab traditions of loyalty to one's clan, tribe, or religious leader. Furthermore, because national borders were drawn arbitrarily in the Middle East by the colonial powers, leaving certain ethnic groups and tribes cut off from their brethren and from territory they previously regarded as part of their homeland, many states in the region have been stricken by bloody ethnic conflicts that have further undermined efforts to develop Western-style democratic states. Thus, the terminology connected to the concept of 'democracy' is often regarded as a 'Western imposition' that is both hostile to the Arab cause and unworkable in the region.

The increasingly aggressive assault on Palestinian society by Israel has led to a return to traditional (and especially religious) social values, ostensibly to maintain the cohesiveness of the Palestinian people. Furthermore, the manipulation and exploitation of the PA by certain groups and classes has led to the increasing marginalization of the masses, which are now caught between a corrupt and self-serving authority and a violent occupying power. This has led to increased support for religious movements, which offer the prospect of glory and martyrdom to people living in desperate circumstances, as well as a comprehensive vision in a culture where secular ideologies have lost their appeal.

A serious social deformation has taken place in Palestine, a natural outcome of years living under Israeli occupation and oppression. This is manifested in a 'psychology of the oppressed,' which is characterized by an individualistic, materialist outlook, the lack of a comprehensive vision, deep-rooted cynicism and pessimism, and the triumph of self-interest over group or national interests. In addition, there is a lack of social cohesion and an increase in feelings of both insecurity and indifference.

Although there have been many programs in the field of democracy in Palestine over the past decade and more,⁴ duplicity and a lack of coordination in terms of geographic outreach or area of concern has been a constant problem and many sectors of the society have remained excluded from those programs. Furthermore, many projects have been based on ready-made *clichés* and slogans without proper implementation, and initiatives were not backed by an educational system that boosts civic education and dialogue and where students dare to challenge traditional and authoritarian methods of learning. A related problem is the prevailing authoritarian relationship inside the family and society, characterized by a lack of transparency, tolerance, and freedom of speech.

⁴ A number of Palestinian organizations concerned with the issue of democracy have been established (e.g., Muwatin - The Palestinian Institute for the Study of Democracy), as have political and student movements (e.g., The Progressive Democratic Student Pole at Birzeit University) and youth initiatives (such as Nuwat and Naseej). In addition, there is the Palestinian National Initiative, or *Mubadara*, a recently established democratic opposition movement that came as a response to popular demands calling for increased participation by Palestinian citizens in the nation-building process and in the realization of an independent, viable, democratic state.

Given the harsh conditions under which most Palestinians live, democratic reforms do not rate highly on the agenda of the public. Priorities are confined to immediate, short-term needs such as food, housing, employment, and enjoying a degree of security. In this climate, democracy is viewed as a luxury that the Palestinians do not need and cannot afford. This (understandable) focus on immediate survival contributes to the lack of pressure on the PA to reform itself and allows members of the leadership to maintain their privileged positions.

Another factor that continues to present an obstacle to democratization efforts in Palestine is the existence of powerful family, clan, and tribal affiliations, which often override concerns for the wider Palestinian community. This is particularly true at the local level where a small group of powerful families dominates the political system in a particular city or district. For this reason, there are concerns that reform efforts, such as those involving the rejuvenating of municipalities, may simply reinforce the patriarchal and feudalistic social structure to the detriment of much of the population, especially the poor and marginalized. This will be discussed further in the next chapter.

These factors have made democratic reform efforts difficult to pursue. The political elite is corrupt and has little to gain by reform. The Palestinian people, meanwhile, have to a large extent lost faith in the PA and do not see reform as a genuine possibility. Even if this was not the case, many feel that a perfectly democratic Palestinian government would still lack the power to achieve tangible results, given the overwhelming dominance of Israel. Because of this, independent, often academic, figures that promote reform lack a popular constituency to promote change and at the same time face an authority with little interest in opening up the political system.

In addition, and despite their many achievements, many of the civil society organizations that could play a major role in fostering democracy face internal problems. Their structures are often not established on a democratic base and there is a lack of transparency, equity, internal elections, accountability, and democratic decision-making. Other points of weakness include the lack of institutionalization, centralization, personalization, dependency on the leader/establisher and the absence of contingency planning. The same is true with regard to the political factions/parties.

Any attempt at implementing reform must incorporate the Palestinian people themselves. Only with their participation can sufficient pressure

be placed on the leadership to change the political system and move towards a more democratic form of governance. For as long as popular disinterest and disenchantment with the leadership remains, democratization efforts are likely to flounder.

The PA, the Oslo Period, and Democratization

In 1994, the PA was established, with jurisdiction over certain areas of the West Bank and Gaza. Its actual powers were limited, and Israel remained in overall control of the Palestinian Territories. Nevertheless, the prevailing perception was that the PA was a 'state in the making' and that the Palestinian people were moving inexorably towards statehood. With hindsight (and of course many astute observers noted this at the time), this was not the case, and in reality, the PA was in reality just another form of colonial control.

During the Oslo period external pressure from donors and foreign powers, as well as internal pressure from civil society organizations, began to mount as part of a bid to encourage the PA to implement democratic reforms and ensure the effective rule of law. In addition, considerable sums of money were poured into democratization efforts in Palestine by donors and foreign governments throughout the Oslo era (including funds provided by USAID, UNDP, and the European Commission),⁵ but without tangible results. Arguably the PA has become *less* - instead of more - democratic over the last ten years, leading one to question firstly, the extent to which the Oslo process was inherently undemocratic, and secondly, whether it is possible to 'impose' democracy, or encourage it, externally.

Pressure on the PA itself increased following the outbreak of the second *Intifada*, and serious 'root and branch' reform of the PA is now regarded as a precondition for negotiations with Israel to begin. The creation of the post of Prime Minister in 2003 was portrayed by Israel and its allies as a step towards a more democratic system of governance, with a more even distribution of power. In fact, of course, the

⁵ Most of the activities supported involved the provision of technical assistance to allow the Palestinian side to benefit in establishing the representative governance process and setting it on the right track. The foci of these interventions were as follows: the Palestine Legislative Council (PLC), the Executive Authority, local government, the management of the electoral process, etc. Additionally, actual interventions targeted human rights organizations, democracy and media, 'peace education,' research and democracy, public awareness, etc.

reality of the situation was quite different and this incident helps to foster a better understanding of the obstacles to genuine democratization that the PA faced.

Israel's aim in forcing the creation of a PA Prime Minister was primarily to weaken the power of the President, Yasser Arafat, who Israel was eager to undermine and discredit. This is typical of Israel's attitude towards the nascent Palestinian Government. Throughout the 1990s, Israel wasted no opportunity to slam the PA for failing to live up to its obligations whilst at the same time taking steps that undermined the so-called 'peace process.' This destructive approach, adopted by Labor and Likud administrations alike, left the PA in an extremely difficult position. In order to remain a credible player in the eyes of the international community, the PA was pushed to take steps that increasingly alienated it from its own people whilst weakening the rule of law and undermining democratic governance.

Besides the intense, anti-democratic influence of Israel on the PA during the 1990s and afterwards, there were other important factors that restricted democratization efforts. One of the most pertinent was the relationship between the PA and its parent body, the Palestine Liberation Organization (PLO). As George Giacaman has pointed out,⁶ the precise nature of the PLO has always been ambiguous. On the one hand, it was a 'government in exile,' a 'proto-state' apparatus. Conversely, it was a collection of civil society organizations, unions, women's organizations, charities, research centers, etc. These two aspects of the PLO are in tension with one another, and whilst in the pre-Oslo period such an organizational structure could be justified on the grounds that it was necessary to maintain the unity of the Palestinian people and to effectively preserve their culture and identity, after the PLO gave birth to the PA, the latter inherited this 'all encompassing' nature, which has, perhaps inevitably, led to a totalitarian style of rule.

The PA enjoyed virtually unrivalled supremacy throughout all spheres of Palestinian national life, and whilst it is certainly true that independent civil society organizations have emerged, these have almost without exception failed to impact upon the political process. The eclipsing of political parties and movements that opposed the Oslo process (e.g., the PFLP, Hamas) during the 1990s, and the lack of space for

⁶ See Giacaman, George. "In the Throes of Oslo: Palestinian Society, Civil Society and the Future," in Giacaman, George & Lonning, Dag Jorund (eds.) *After Oslo: New Realities, Old Problems*. London: Pluto Press, 1998.

legitimate opposition to develop in, contributed to the lack of checks on the power of the central authority. Since the demise of Oslo, opposition factions, in particular, the Islamic movements have regained much of their strength, but this has only been possible because of the substantial weakening of the PA. There was little room for opposition to exist within the quasi-state structure created by the Oslo process.

In 1996, elections were held for both the Presidency and for parliament, i.e., the PLC. Despite the widespread optimism in the wake of the elections, combined with a belief that Palestine was on the road to genuine democracy, the PLC was subsequently shown to be an entirely powerless body. Within the constraints of the Oslo treaties, the PLC was already limited in its ability to make a genuine impact on the lives of the Palestinian people. This was compounded by the excessive degree of control wielded by the Executive Authority, which effectively rendered the PLC unable to act independently and prevented its decisions from being carried out. Despite numerous attempts to pass legislation, or to operate as an effective check on the powers of the President, the PLC failed to fulfill its role within the Palestinian political system, further undermining popular confidence in the PA as a whole.

Another serious barrier to democratization is the PA's status as a so-called 'rentier state.' As a result of the fact that the overwhelming majority of the PA's income comes from foreign sources, and not from domestic population (through taxation), the Palestinian people have much less leverage over their governing authority. The kind of non-payment of taxes campaigns that have been used in the past by other oppressed peoples, and by the Palestinians themselves against the Israelis, to force governments to open up the political system, are simply not possible in the Palestinian case. The PA can choose to ignore its constituents since it does not depend on them for its income. This has made efforts to promote democracy more difficult.

The Oslo process generated new trends within Palestinian society and reinforced existing ones. Authoritarianism, the encouraging of business monopolies and cartels, the unfair distribution of resources and the reliance on corrupt methods (bribery, coercion, etc.) all became more prevalent during the Oslo years. These problems have not been adequately tackled by those organizations working on democratization, and there were insufficient efforts to directly implicate the individuals responsible for such acts. The absence of a reliable judicial system has made efforts to deal effectively with corruption and other problems exceedingly difficult.

In the absence of a widely acceptable final settlement, it is unlikely that democratization efforts will be successful, especially given the fact that the Oslo framework does not allow for legitimate, substantive opposition. If it remains the case that large sections of the Palestinian population continue to oppose the direction that the official leadership is taking, whilst being denied a proper opportunity to voice such concerns, then it is likely that the system as a whole will become increasingly unstable; a scenario which, given the obsessively power-hungry nature of the PA, can only lead to greater curbs on democratic freedoms.

Perhaps a good indication of this is the secret negotiations that have taken place between Israel and 'strong men' such as Mohammad Dahlan, who the former hopes will stamp out popular resistance to Israel's Apartheid policies. Even the PA has shown itself willing to cooperate with Sharon's much-discussed 'Disengagement Plan,' in effect a strategy for imposing Apartheid-style 'homeland governments' on the Palestinians, even though such a plan is highly disadvantageous to the Palestinian people. If Dahlan, or a similar figure, is not suitable, it is entirely possible that the PA itself will fulfill the same role, curbing freedoms and imposing an oppressive security regime in order to satisfy Israel's desire for total control over the Palestinians.

Recommendations

The following recommendations were made as part of the work PAS-SIA has conducted on the current state of democratization in Palestine and with regard to the prevailing attitudes towards democracy amongst different segments of the Palestinian population.

In general, there was a consensus that work in the field must aim at developing an indigenous, Palestinian model of democracy that fits within Palestine's historical and cultural framework, takes into consideration the Palestinian situation and attunes decision-making structures to the needs and characteristics of Palestinian society. In this regard, the need to move from the level of theory to the level of practice as well as the need to design clear goals and effective strategies are both considered extremely important.

Given the current crisis, it is even more difficult to continue the work in the field of democracy. While many concerned parties do not feel that funding on democracy has led to fruitful outcomes over the past years

and believe that investing money in the field of democracy was a waste and that resources should instead be redirected towards more sustained, mainstream, public, educational efforts - the necessary prerequisite for a well-entrenched societal democratization - others believe that a certain level of progress has been achieved and that "it is better to light a candle every day than curse darkness forever." Others, meanwhile, express the belief that democracy has yet to become a priority for Palestinians and that other issues should be emphasized instead (including building a new leadership, which at a later stage would go on to apply democratic principles).

Future efforts will require the finding of a mechanism that will help manage the conflict and possibly promote the establishment of a unified, independent, innovative and organized democratic movement that works on the political, social, educational and economic levels with the aim of formulating a democratic agenda and influencing the public debate.

In particular, recommendations addressed the following fields and included:

Education System:

- Fundamentally change the dominant educational philosophy in the Palestinian educational system.
- Help the responsible and relevant agencies in Palestine to produce, apply, and assess a modern, democratic, curriculum.
- Improve the curriculum and civic education for both teachers and students as a step towards a better democratic culture and to increase the level of awareness concerning governance issues, with a focus on citizenship, citizens' rights, and gender rights.
- Tackle the authoritarian system in schools and universities and work on more open and proficient higher education while spreading democratic values, encouraging dialogue, and promoting creativity and respect for diversity.
- Improve the output of training courses whilst empowering and involving the youth sector and potential leaders, thereby enabling them to tackle the needs of society.

Promoting Good Governance

The third factor relates to the distribution of economic resources. The more balanced the regional distribution of resources is, the better are the chances that a decentralized system can be based on local revenue (which would support accountability). A regionally balanced availability of resources should be regarded as a favorable factor for decentralization, however, rather than a prerequisite for supporting decentralization policies.

Decentralization is not a risk-free process, and even when ideal circumstances exist problems may arise. These may include:

- Increasing the ineffectiveness of the government system by simply extending the bureaucratic system, thereby increasing public expenditure and complicating public procedures;
- Weakening administrative performance by handing over responsibilities to less qualified staff and by subordinating competent professional staff to parochial interests of less qualified functionaries;
- Deepening existing regional inequalities and promoting disintegration between the regions, thereby hindering nation-building efforts in ethnically heterogeneous nations;
- Increasing poverty and gender inequality by giving more influence over public spending to local elites who may be less sensitive to equality concerns;
- Reinforcing traditional client-based and feudalistic power relationships in rural regions instead of promoting local democracy and accountability;
- Duplication of efforts and destructive incentives to private investors as a result of unhealthy competition among local or regional authorities;
- Opening additional opportunities for corruption;
- Encouraging tendencies towards separation by providing separatist political movements with resources and an arena to realize their interests, thereby contradicting the aim of political stability.

Decentralization & Local Government

- Competition between (semi-) autonomous local government units leading to an increase in the efficiency and performance of public service providers;
- Reduction in the opportunities for corruption by increasing accountability and transparency of government activities;
- Greater and more effective popular participation in the political process;
- Political stabilization and maintenance of national unity by providing a certain degree of autonomy to regional societies, thereby integrating them better into the nation-state;
- More efficient and less bureaucratic public services, where staff are more motivated and enjoy greater autonomy outside of a wasteful hierarchical system;
- Increased coordination of activities in various sectors at the local/regional level.

For decentralization to be effective, a number of prerequisites must be met. Firstly, there is the question of political will. Given that decentralization entails a redistribution of power and control, it would be unrealistic to expect the wholehearted support of the government in favor of decentralization. Strong opposition from certain sections of the political and administrative system tends to be the rule rather than the exception. There should, however, be at least: (a) a majority decision of the parliament, (b) a conclusive legal framework that allows at least meaningful steps towards decentralization, (c) one powerful section within the political system that is active in support of decentralization, and (d) strong local elites that are qualified and prepared to take over the responsibility for public affairs and development in their regions.

A second important factor is the capacities of central government. Decentralization is a process that needs guidance and support from government as well as a situation where responsibilities are shared between different levels of government. Consequently, decentralization is not the answer to a breakdown of central government functions. However, establishing a decentralized local system of government may be the only way to make a society function in which there is a complete breakdown or absence of state functions.

Promoting Good Governance

De-concentration: The transfer of power to an administrative unit of central government, usually a field or regional office. With de-concentration, local officials are not elected.

Delegation: The transfer of managerial responsibility for a specifically defined function outside the usual central government structure.¹

It is important to remember that decentralization is not an end in itself but merely a means to achieving certain goals. Decentralization does not entail greater democratization; there are decentralized, undemocratic states and there are highly centralized democracies.

The advantages of a decentralized system, particularly in the case of devolution, are that firstly, it makes the decision-making process more responsive and in tune with the needs and wishes of the local population, partly because decision makers are drawn from that population. Secondly, it enables the public to feel more engaged and connected with the political process. In an overly centralized system, the population tends to feel alienated from decision makers who are viewed as 'distant' and disconnected from their lives.

Thirdly, decentralization draws power away from the center and prevents it from becoming concentrated in the hands of a relatively small number of people. This reduces the prospects of political power being abused and helps to ensure that a greater range of interests is taken into account when government policies are formulated.

In summary, the main objectives of decentralization are as follows:

- More appropriate services and support in tune with local needs and demands;
- An increased likelihood of developing effective partnerships between the government and the community, increasing sustainability, boosting involvement by the community and enhancing local ownership of public facilities;

¹ The *Handbook* is available online at www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnach300.pdf

DECENTRALIZATION AND LOCAL GOVERNMENT

Introduction

An important indicator of the health and efficiency of a democratic system is the extent to which it is decentralized and the degree of autonomy enjoyed by local government structures. Functioning democracies devolve certain powers to the local or regional level in order to bring decision making as close to the people as possible and to avoid the over-centralization of the political system. An overly centralized system is often 'distant' from its constituents, and policy formation and the delivery of public services tend to be disconnected from the needs and desires of the bulk of the population.

The third phase of PASSIA's 'Promoting Good Governance' project assessed the extent to which the Oslo-era Palestinian Authority (PA) devolved power and examined the state of local and regional governance in the so-called 'autonomous areas.' A series of brainstorming sessions and roundtable meetings were held, looking at decentralization in Palestine and why efforts to promote the devolution of power had been unsuccessful. During these meetings, problems were identified (in particular, of course, the ongoing Israeli occupation) and recommendations were made as to how to move reform efforts forward.

Decentralization - A General Overview

The USAID *Decentralization and Democratic Local Government Programming Handbook* defines "decentralization" as "a process of transferring power to popularly elected local governments." The *Handbook* identifies three forms of decentralization as summarized below:

Devolution: The creation or increased reliance upon sub-national levels of government, with some degree of political autonomy, that are substantially outside direct central government control yet subject to general policies and laws, such as those regarding civil rights and the rule of law.

Promoting Good Governance

- Increase channels of communication between the PA and the people, and work to develop a constructive dialogue between the State and those it serves. Here civil society organizations could play a major role.
- Along those lines and taking into consideration the problem with the prevailing terminology, which is dominated by the Anglo-American model of democracy, there should be some attempt to develop a local Arab terminology that reconciles basic democratic ideas with the traditional-Islamic Arab background in order to make future programs more acceptable to the broad public.

Democratization of Palestinian Institutions:

- Empower non-governmental and civil society organizations and democracy activists, improve their capacities, and increase their levels of communication and coordination.
- Work on the internal democratization of governmental and non-governmental institutions by developing accountable, transparent, credible, and democratic decision-making procedures.
- Strengthen the Judiciary and promote its independence, as a vital prerequisite to serious democratic reform. Improve the functioning and accountability of the Ministry of Justice.
- Ensure that every program or piece of legislation is scrutinized by a special committee that deals with or is specialized in the promotion and safeguarding of democracy.
- Pay careful attention to the need for a more accurate, scrutinized, and free media that addresses governance issues and is able to voice effective and substantive criticism.

Democracy and Democratization

- Promote student councils in schools and universities as a model of democracy, teamwork, critical and independent thinking, and voluntary action.
- Explain the role and functions of the PLC in schools, mini-parliament models, and through internships for students.

Youth:

- Encourage the building of a new youth leadership and imbue it with democratic practices and a democratic ethos.
- Incorporate youth into decision-making structures and involve them in the drafting and amending of the Palestinian Constitution.
- Empower youth through skills development and training: establish vocational, recreational, and education development programs and help unemployed and delinquent youth through income-generation projects.
- Encourage the formation of independent youth organizations that are able to act outside the confines of official organizations, which in the past have denied them a true role.
- Allow youth to represent their peers in front of the PA.

Cooperation, Dialogue and Participation:

- Promote free dialogue between the different stakeholders and factions of the society based on mutual recognition, respect, empathetic understanding, objectivity, and wisdom.
- Encourage greater interaction between different sectors of Palestinian society, including the Diaspora, especially on fundamental national issues, through joint committees (e.g., the Palestinian NGO Network).
- Work to develop an inclusive political culture that incorporates those on the margins of Palestinian society.

Promoting Good Governance

Legislative Drafting Manual: prepared by the Institute of Law, Diwan Al-Fatwa (Ministry of Justice) and PLC's Legal Department. Birzeit University: Institute of Law, n.y.

Liebesny, Herbert J. "Judicial Systems in the Near and Middle East: Evolutionary Development and Islamic Revival," *Middle East Journal* 37-2 (Spring, 1983): 202-17.

Long, David and Bernard Reich (eds.). *The Government and Politics of the Middle East and North Africa.* Boulder, CO: Westview Press, 2002.

Magnarella, Paul (ed.). *Middle East and North Africa: Governance, Democratization, Human Rights.* Ashgate Publishing Company, 1998.

Mahler, Gregory S. *Constitutionalism and Palestinian Constitutional Development.* Jerusalem: PASSIA, 1995.

Mar'i, Mustafa, *Guarantees for Respect of Human Rights in Palestine: Present Problems and Future Prospects.* Jerusalem: LAW, December 1997.

Mayo, Stephen and Hiram Chodosh. "The Palestinian Legal Study: Consensus and Assessment of the New Palestinian Legal System," *Harvard International Law Journal* 38, no. 2 (Spring 1997).

Ministry of Justice, Palestinian Authority. *Rule of Law Strategic Development Plan.* Australian International Legal Resources, August 1996.

Office of the UN Special Coordinator in the Occupied Territories, *Rule of Law Development in the West Bank and Gaza Strip - Survey and Status of the Development Effort.* Jerusalem: UNSCO, July 1997.

Office of the Special Coordinator in the Occupied Territories. *Rule of Law Development in the West Bank and Gaza Strip: A Development Assistance Study,* UNSCO, United Nations, 1997.

Palestinian Independent Commission for Citizens' Rights (PICCR). *Annual Reports.* Various years.

"The Palestinian Legislative Council after One Year of Existence," *People's Rights* (March 1997): pp. 14-37.

Selected Bibliography

Eisenman, Robert H. *Islamic Law in Palestine and Israel*. Leiden, 1978.

Feasible Options for Rule of Law Programming. Report submitted to USAID West Bank and Gaza Mission by Chemonics International Inc. and MetaMetrics Inc., December 1998.

Frisch, Hillel. "Modern Absolutist or Neopatriarchal State Building? Customary Law, Extended Families, and the Palestinian Authority," *International Journal of Middle Eastern Studies* 29 (1997).

Haddad, George. *Revolutions and Military Rule in the Middle East: The Arab States, II, Part I. Iraq, Syria, Lebanon, and Jordan*. New York: Robert Speller and Sons, 1971.

Human Rights Watch. *The Gaza Strip and Jericho. Human Rights under Palestinian Partial Self-Rule*. New York, February 1995.

Human Rights Watch. *Palestinian Self-Rule Areas: Human Rights under the Palestinian Authority*. New York, September 1997.

Institute for the Study and Development of Legal Systems. *Palestinian Legal Study: The Restoration and Modernization of the Palestinian Civil and Criminal Justice Processes*, United States Information Service, June 1995.

Institute for the Study and Development of Legal Systems. *Palestinian Legal Study: Solutions to Contemporary Problems in the Palestinian Civil and Criminal Justice Systems*, United States Information Service, July 1996.

The International Commission of Jurists. *The Civilian Judicial System in the West Bank and Gaza: Presence and Future*. Geneva, 1994.

IRIS. *Commercial Legal Institutions in the West Bank and Gaza*, Country Report No. 18, March, 1995.

IRIS. *International Commercial Transactions in the West Bank and Gaza: Model Contracts and Commentary*, 1996.

Israel National Section of the International Commission of Jurists. *The Rule of Law in the Areas Administered by Israel*. Tel Aviv, 1981.

Kassim, Anis F. "Legal Systems and Developments in Palestine," *The Palestine Yearbook of International Law*, 10 (The Hague, 1984).

Promoting Good Governance

Brown, Nathan J. *Constitutions in and Non-Constitutional World – Arab Basic Laws and the Prospects for Accountable Government*. Suny Series in Middle Eastern Studies, 2001.

Brynen, Rex. "The Neopatrimonial Dimension of Palestinian Politics," *Journal of Palestine Studies* 25, no. 1 (Autumn 1995).

B'Tselem. *Neither Law nor Justice*. Jerusalem, August 1995.

Center for Palestine Research and Studies (CPRS). *Palestinian Judicial Independence. The Vision of Workers in the Judicial Branch*. Nablus: CPRS, May 1997.

Center for Palestine Research and Studies (CPRS). *Parliamentary Research Unit: The Palestinian Legislative Council*. Nablus: CPRS, October 1996.

Chase, Anthony Tirado. *The Palestinian Authority Draft Constitution: Possibilities and Realities in Search for Alternative Models of State Formation*. Jerusalem: IPCRI, Law & Development Program, 1997.

Chodosh, Hiram E. and Mayo, Stephen A. "The Palestinian Legal Study: Consensus and Assessment of the New Palestinian Legal System," *Harvard International Law Journal*, Vol. 38, Number 2 (Spring 1997).

Coben, James R. "Community-Based Dispute Resolution," *Hamline Journal of Public Law and Policy*, Vol. 12, Spring 1991.

Cotran, Eugene. "The Evolution of the Rule of Law in Palestine," *Daily Star*, 19 December 1996.

Cotran, Eugene, and Mai Yamani (eds.). *The Rule of Law in the Middle East and the Islamic World: Human Rights and the Judicial Process*. New York, NY: IB Tauris & Co. Ltd., 2000.

El Dahdoh, Sulieman, Muhanna, Ishak, and Sisalem, Mazen. *The Laws of Palestine, Volume II, Criminal Procedure*, in English and Arabic, Jerusalem, 1996.

El Dahdoh, Sulieman, Muhanna, Ishak, and Sisalem, Mazen. *The Laws of Palestine, Volume III, Dangerous Drugs, Firearms, and Ammunition Ordinances*, in English and Arabic, Jerusalem, 1997.

SELECTED BIBLIOGRAPHY

Sources related to Palestine and the Middle East

Rule of Law

Abu-Amr, Ziad. "The Palestinian Legislative Council," *Journal of Palestine Studies* 26, no. 4 (Summer 1997).

Amnesty International. *Israel and the Occupied Territories Including the Areas Under the Jurisdiction of the Palestinian Authority. Human Rights: A Year of Shattered Hopes*, May 1995 (AI Index: MDE 15/07/95).

Amnesty International. *Trials at Midnight: Secret, Summary, Unfair Trials in Gaza*, June 1995 (AI Index: MDE 15/15/95).

Associates in Rural Development (ARD). *Developmental Needs of the PLC*. Washington, DC, June 1997.

Associates in Rural Development (ARD). *An Assessment of the Palestinian Legislative Council*. Washington, DC, May 1997.

Associates in Rural Development (ARD). *Report on Technical Assistance to the Palestinian Legislative Council in the Review of the Judiciary Law*, Burlington, Vermont, August 1998.

Baaklini, Abdo, Guilain Denoeux, and Robert Springborg. *Legislative Politics in the Arab World: The Resurgence of Democratic Institutions*. Rienner, Lynne Publishers, Inc., 1999.

Bentwich, Norman. *Legislation of Palestine 1918-25*. 2 Volumes. Alexandria, 1926.

Brown, Nathan J. *The Rule of Law in the Arab World* (Cambridge Middle East Studies). Cambridge: Cambridge University Press, 1997.

Brown, Nathan J. "Judicial Review and the Arab World", *Journal of Democracy*, vol. 9, no. 4 (October 1998), p. 85-99.

Promoting Good Governance

- NGOs should work to build much closer ties with their constituents, i.e., the Palestinian people, and ensure that their agenda and programs remain focused on Palestinian issues and not the preferences of the international community.
- Civil society organizations should strive to implement internal governance reforms (i.e., democratic decision making, elections for board members, transparency, accountability, etc.) in order to limit the 'personality cult' that characterizes many NGOs, where the organization is predominantly, or even exclusively, associated with its head/founder.
- Civil society organizations can contribute to better governance by improving transparency and increasing the availability of information concerning the making and implementation of government policy. Activities from within civil society to promote these goals could include the discovery, publication, and dissemination of information regarding items of legislation, legal provisions, public expenditure allocations, the implementation of policy and programs, and special enquiries.
- Civil society organizations can further contribute to good governance by working directly with the PA in shaping and delivering public services in a variety of ways. This could take the form of public-private partnerships in which civil society organizations work closely with state institutions in designing and providing services in the field of health and education, by mobilizing funds from among client groups and other sources, by providing services directly, and by monitoring quality and coverage.
- The promotion of policy advocacy and mobilization towards political change should also be considered important goals. Activities should include education campaigns, efforts to encourage popular mobilization, the encouraging of political participation, and the forging and maintaining of links with other like-minded groups, etc.

structure from emerging. By dividing up potential rivals and offering them senior posts in the different branches of the Palestinian Police, Arafat has ensured that these individuals will be more concerned with inter-service rivalries and 'turf wars' rather than with posing a challenge to his position. In addition, the security services are a useful method of employing resistance fighters from outside Palestine who returned after the PA was established. Bringing them into the PA establishment contained another source of potential instability (unemployed fighters) and was considered a way of co-opting individuals who might otherwise have joined the ranks of the opposition factions.

The relationship between the Palestinian Police and civil society has been predominantly of an antagonistic nature. The regime, perceiving civil society groups to be a potential threat, has used its security apparatuses to intimidate and contain them. A number of NGO activists were arrested or harassed by the police for example (especially those working for Islamic NGOs), with the PA also using the police to 'investigate' NGO activities as part of its plans to regulate the non-governmental sector. The actions of the Palestinian Police in general have been one of the main focuses of investigations by Palestinian human rights groups, and this has only served to increase discord between the State and its security apparatuses on the one hand and civil society on the other.

Recommendations

PASSIA's roundtable meetings and brainstorming sessions on 'State-Civil Society Relations in Palestine' have yielded the following recommendations:

- In general, a major focus of activity in the Palestinian context should be the strengthening of human rights and anti-corruption groups and measures to reduce the high level 'militarization' of the society.
- Extensive cooperation between civil society organizations has been relatively limited in the past but has produced very promising outcomes (i.e., during the 'NGO Law' episode). Such cooperation should be increased, and representative bodies such as the PNGO network should be empowered. This will help NGOs to be a more effective voice in Palestinian society.

Promoting Good Governance

- Protecting the public and its property and acting to provide a feeling of safety and security:
- Adopting all measures necessary for preventing crime in accordance with the law; and
- Protecting public installations and places of special importance.

It is clear, however, that the Palestinian Police had an unofficial mandate to act far beyond these narrow constraints. In fact, according to Gal Luft,⁶ the Palestinian Police spent only 25 percent of its time fulfilling such functions and most of its time was devoted to ensuring regime survival and repressing anti-Oslo factions, in particular the Islamic resistance movements. This was the real purpose of the large and cumbersome Palestinian security apparatus - to protect Yasser Arafat's regime and to crush opposition to the Oslo process.

An often remarked upon feature of the Palestinian Police is the excessive number of sub-units. Under the terms of the Cairo Agreement such sub-divisions included the following: the National Security Force (14,000 officers) - responsible for joint patrols with the Israeli Army, staffing checkpoints etc; Civil Police (10,000 officers) - responsible for maintaining law and order; Preventive Security Force (5,000 officers) - counter-opposition and counter-terrorist duties; General Intelligence (3,000 officers) - intelligence gathering inside and outside the Palestinian Territories; Coast Guard (1,000 officers) - coastal defense/policing; and Civil Defense - fire and rescue service.

However, at least five additional forces have been created: Military Intelligence, Military Police, Aerial Police, Special Security Force, and Presidential Security. The last two are not part of the Palestinian Police, which is officially subordinate to the Ministry of the Interior, but are instead under the President's direct control. The purpose of the Special Security Force is rumored to be to gather intelligence relating to the other branches of the Police, although its official function is to investigate foreign-based opposition groups.

One of the reasons for this proliferation of security forces with overlapping mandates is the desire to prevent a strong, unified military

⁶ "The Palestinian Security Services: Between Police and Army," *MERIA*, Vol. 3, No. 2 (June 1999).

Palestinian Police began operating in the areas transferred to PA control.

The size of the Palestinian Police was soon well above the prescribed limit (estimates vary, but there were probably between 5,000-20,000 officers above the 30,000 limit) and Israel alleged that proscribed military hardware, such as anti-tank and anti-aircraft missiles, had been acquired by Palestinian security units. During the 'tunnel riots' of 1996,³ Palestinian policemen exchanged fire with Israeli forces that were attempting to suppress the revolt, and this led to fears within Israel that the Palestinian security units were becoming a significant threat. An article in *Ha'aretz* for example, published in June 1998, claimed that Palestinian security forces were being trained to "attack settlements" or take over Israeli army positions.⁴

For the Palestinians, the new security forces, initially hailed as a sign of the (partial) fulfillment of Palestinian sovereignty, rapidly became an irritation, if not an outright menace. Human rights groups soon began to criticize the lack of proper procedures and the widespread and substantive violation of human rights by the Palestinian Police. The total lack of an effective and independent judiciary and the failure to implement the rule of law allowed the security services to act with impunity. There were countless cases of arbitrary arrest, police brutality, excessive use of force and torture of detainees. In addition, harassment, extortion, and intimidation were also common.⁵

The official functions of the Palestinian Police, as set down in Article III of the Gaza-Jericho Autonomy Agreement (Cairo Agreement) of 4 May 1994, are as follows:

- Performing normal police functions, including maintaining internal security and public order:

³ The 'tunnel riots' began in September 1996, following Israel's decision to open a controversial tunnel underneath the Al-Aqsa compound. Palestinians, concerned that the foundations of Islam's third holiest site were being comprised, began an uprising and Israel's heavy-handed response left scores of Palestinians dead and hundreds wounded.

⁴ Harel, Amos. "Palestinians Training Forces to Break into Settlements and Hold Positions," *Ha'aretz*, 1 June 1998.

⁵ See, for example, the 1998 report on PA human rights abuses by the Palestinian NGO, Law, available at <http://www.law-society.org/Reports/reports/1998/status.html>.

number of Palestinian graduates are attracted to NGOs by the higher salaries and better working conditions that they offer. Such individuals tend to be disconnected from the grassroots and have little understanding of their perspective, which further alienates NGOs from ordinary Palestinians. As Rema Hammami puts it:

“The new professionals tend to treat the ‘grassroots’ in a patronizing and condescending manner, perceiving them as social groups in need of instruction, rather than as constituencies from which they take their direction and legitimacy.”²

A consequence of this alienation is that the programs and projects that many Palestinian NGOs (in particular research institutes and ‘think-tanks’) work on are often removed from the immediate priorities and concerns of the Palestinian people because they are not led by the grassroots, but rather, are based on what NGO activists *think* is in the best interests of the ordinary Palestinian.

Civil-Military Relations in Palestine: The Palestinian Police

The nature of civil-military relations is an important factor in determining whether governance reforms within a particular society will be successful or not. The military/security apparatus often plays a significant role in non-democratic regimes, and efforts to promote the rule of law and democratization can be hampered by the actions and practices of the security forces. In societies where the security apparatuses enjoy unrivalled power (e.g., in Arab states such as Syria and Iraq under Saddam Hussein), organized campaigns to promote change are unlikely to achieve success without endorsement from the regime.

The Oslo Agreements, signed between the PLO and Israel, allowed for the creation of a ‘Palestinian Directorate of Police Force’ (hereafter ‘Palestinian Police’) whose purpose was to maintain law and order in the autonomous areas, as well as to suppress factions and groups opposed to the Oslo process. The Palestinian Police, which was subdivided into various police and intelligence sub-units, was limited to 30,000 officers who were permitted to carry only light armaments. Soon after the entry into force of the initial peace agreements, the

² Hammami, Rema. “Palestinian NGOs Since Oslo - From NGO Politics to Social Movements?” *Middle East Report*, No. 214, (Spring 2000).

The problem with this strategy was that it ignored the basic realities of the Oslo period, in particular the fact that the occupation had not ended and the PA was not, in any sense of the term, 'sovereign.' For ordinary Palestinians many of the day-to-day features of occupation (especially checkpoints and movement restrictions) were still in place, and the PA, rather than focusing on the development of Palestine, was more interested in responding to Israel's security concerns. Nevertheless, even if the PA had been fully committed to improving the situation of the Palestinian people, the extent to which this would have been possible is questionable. The Oslo Accords were simply too restrictive to enable the PA to implement serious changes in the Palestinian condition.

Calling for governance reforms was therefore not a viable strategy for achieving Palestinian goals. Furthermore, even if it had been successful it would have had little impact on the refugees outside of Palestine, who constitute a major proportion of the Palestinian population. For most Palestinians, governance reforms, a priority of Western powers, could not solve the basic problems of everyday life in the still-occupied Palestinian Territories and elsewhere. Dealing with checkpoints, movement restrictions, economic hardships (which increased dramatically as a result of the post-1994 closure imposed by Israel on the West Bank and Gaza) etc., was the major priority of the Palestinian people, not greater democracy or more transparent and accountable government.

Following the outbreak of the second *Intifada*, during which the situation of ordinary Palestinians has become increasingly precarious, the call for PA governance reforms from both NGOs inside Palestine and from foreign governments has increased, whilst at the same time becoming less and less relevant. It is clear that (especially as far as Israel and the US are concerned) the term 'governance reforms' is a euphemism for replacing Yasser Arafat, and whilst local NGOs may also wish to change the current leadership, by associating themselves with such a campaign they risk incurring the wrath of the ordinary Palestinians, all of whom are fiercely opposed to outsiders determining who their leader should be, even if they too share an increasing unhappiness with the current leadership structure.

Another problem associated with the increased 'professionalization' of the NGOs is an increase in patronizing and paternalistic attitudes concerning the grassroots and their relationship with them. The prevalence of such attitudes is partly the result of the fact that a rising

Civil Society and the Palestinian People

The vicious campaign conducted by the Executive against the NGOs was certainly motivated by political considerations rather than a genuine desire to root out corruption or hold NGOs accountable to the people. The PA was concerned that the NGOs constituted a rival political grouping that might challenge or limit its power and therefore the allegations made against the NGOs were intended to discredit them and justify repressive measures and excessive interference in their internal affairs. The establishment of the 'Ministry for NGO Affairs' in October 1999 (for which there is no precedent anywhere in the world) is a further example of this desire to contain the NGOs.

Nevertheless, the political nature of the PA's assault on the NGOs disguises a more fundamental issue. Although it is highly unlikely that there is widespread mismanagement and corruption amongst the NGOs, as alleged by the PA (although certain NGOs have been embroiled in serious funding scandals), the charge that NGOs have become more concerned with foreign priorities and agendas, rather than what is best for the Palestinian national cause, is harder to dismiss.

As mentioned above, the early 1990s witnessed a fundamental change in the nature of many Palestinian NGOs with what in the past had been popular, politicized, grassroots organizations becoming professional, detached, and development-oriented. A consequence of this was that the primary relationship of the NGOs was with donors, rather than with the grassroots, and this led, perhaps inevitably, to claims that the NGOs were putting foreign (since most sources of NGO funding were non-local) interests above domestic concerns. Although these legitimate concerns were cynically manipulated by the PA in order to silence dissent, this does not disguise the fact that there is some truth to the underlying allegations.

The NGOs tended to subscribe to the view, shared, or at least promoted, by foreign (especially Western) governments, that pursuing democratization and fundamental governance reforms was the best (and perhaps only) strategy for achieving Palestinian national goals. If a strong, independent democratic state could be constructed in the West Bank and Gaza then Palestinians would be in a much better position to negotiate with Israel and achieve tangible results. The slogan of 'Revolution until victory' was replaced with that of 'Development until victory.'

rejected this draft and in consultation with the NGOs, formulated an alternative law, which many hailed as the most progressive of its kind in the region. This second draft would have allowed NGOs virtually unrestricted freedom of action, following registration with the Ministry of Justice.

The new draft, however, was unacceptable to President Arafat, who proposed an amendment that placed the Ministry of the Interior in charge of NGOs and not the Ministry of Justice as the NGOs themselves and the PLC wanted. Aside from the fact that the Executive violated legislative procedure (amendments to PLC bills by the Executive must be tabled within one month, but it took considerably longer than that for the bill to return to the Legislative), NGOs were concerned that the Ministry of the Interior, which is the home of the security apparatuses, was not a suitable venue for NGO-PA contact. Many were worried that the Ministry of the Interior would not be constrained by the rule of law and the security services would end up having a great deal of control over NGO affairs.

Despite the fact that the PLC opposed the new amendment by 38-12, the law was ratified as it stood by President Arafat in January 2000. The Palestinian NGO Network (PNGO) declared itself to be largely satisfied with the law, which is still one of the most liberal in the Arab World, although concerns about interference on the part of the security service remain. Nevertheless, the episode has shown the NGOs in Palestine that the PA views them as a threat to its position and is prepared to take steps to try to contain and control them.

Another example of attempts on the part of the PA to undermine the NGOs and limit their capacity to challenge it in an effective manner came in the late 1990s. In 1999, the PA, citing a UN report, claimed that the NGOs had received US\$98 million from foreign donors to work on rule of law programs, whilst the PA had received only US\$2 million. The NGOs were portrayed as greedy and more interested in pleasing foreign donors than in what was best for the Palestinian people. In fact, the NGOs demonstrated that they had only received US\$8.7 million over a four-year period for rule of law programs, and a number of organizations and individuals, (e.g., the Gaza-based Palestinian Center for Human Rights and Dr. Haidar Abdul Shafi) took legal action due to defamation on the part of journalists who were allegedly encouraged by PA officials.

During the *Intifada* years, this focus on what were perceived by many as 'abstract issues,' especially given the ongoing Israeli system of control, increased the alienation of the NGOs from the grassroots. In addition, many NGOs implemented a Western-style system of careful budgeting, long-term planning and formulation of 'measurable outcomes,' which made the kind of politicized mass action of the past more difficult. In addition, many NGOs began to rely to a greater extent on foreign donors, which also increased popular suspicion as to their credibility and priorities. Some began to feel, rightly or wrongly, that the NGOs were more concerned with foreign interests than those of the Palestinian people.

Before the establishment of the PA, Palestinian NGOs had provided a wide range of services to the Palestinian people, to whom the Israelis failed to provide even the most basic rights and services. NGOs had provided, for example, some 60 percent of primary care services, around half of all secondary and tertiary care services, 100 percent of all pre-school programs, and a significant proportion of schools. Key sectors such as agriculture and health were heavily dependent on NGOs and their willingness and ability to provide skills, training, and services.

After 1994, when the PA came into existence, NGOs faced two challenges. Firstly, the PA took over the running of many services (for example in the fields of health and education) that had previously been provided by NGOs. A number of Palestinian NGOs merged with the PA, or else were incorporated by it, as a result. Secondly, international donor organizations began to shift their funding from NGOs to the PA, and some of the former saw their budgets fall by a third or more. To a certain extent these changes were to be expected, given that the NGOs had been providing services in the absence of a state mechanism, and that once such a mechanism came into existence, the NGOs were no longer needed.

The PA and the NGOs

During the mid- to late-1990s, there was increasing discord between the PA and the NGOs, particularly as a result of the attempts of the former to regulate (or, in the view of the NGOs, control) the latter. The PA Executive attempted to pass an 'NGO Law' that would have imposed draconian constraints on the functioning of civil society organizations. However, the Palestinian Legislative Council (PLC) roundly

Civil Society-State Relations in Palestine

Civil Society

There is a long and rich tradition of active civil society organizations in Palestine. George Giacaman confirmed this when he wrote the following:

"If by 'civil society' one means societal organization of varied types existing in relative independence from the state, then such organization has had a long history in Palestine. Under Ottoman rule, for example, considerable local autonomy was possible at different periods, and pre-modern forms of association that were ethnic, tribal, or kinship-based organized the lives of different communities with custom and tribal law as central elements contributing to their cohesion."¹

From the British Mandate period onwards, the Palestinians formed clubs, societies, committees, etc., although they were often dominated, prior to the establishment of the State of Israel, by the land-owning elite. Later on, with the establishment of the Palestine Liberation Organization (PLO), civil society organizations of a more broad-based nature and whose operations were intimately tied to the national struggle came into existence. For the purposes of this chapter, the focus will be on the changes that took place during the first *Intifada*, from 1987-1994, when there was a fundamental shift in the nature of Palestinian civil society.

Toward the end of the first *Intifada*, a new kind of civil society organization began to emerge in Palestine - the professional, elite-based NGO. Whereas previously civil society organizations had tended to be mass-based and largely voluntary, in the late 1980s and early 1990s organizations with professional staff and a weaker connection to the grassroots developed. These organizations, especially following the establishment of the PA in 1994, focused mainly on governance issues such as promoting the rule of law, raising awareness of human rights abuses, pushing for the proper implementation of a democratic system of rule, etc.

¹ Giacaman, George (2000) "Perspectives on Civil Society in Palestine." Paper presented at a conference on PNA-NGO Relations held by the Welfare Association, Ramallah, available at <http://www.muwatin.org/welfare.htm>.

Civil society organizations are considered central players in the drive to improve governance mainly through their capacity to mobilize the people, monitor government performance (and exert certain pressure), and complement the government.

There are two main interpretations of the role of civil society organizations. The first is a mainstream one, which dominates the current discussion of civil society in development processes. This view is shared by those who believe that societies develop when individuals abandon the notion of freedom as autonomy in favor of freedom as security grounded in law. Civil society in the South may be a component that can facilitate change while alleviating some of the pain involved in the processes of economic and political change. Here civil society is perceived as a contributor to capitalist development.

The second viewpoint sees civil society as an alternative to capitalist hegemony. There is an emphasis here on values other than those that came to predominate with the rise of capitalism, and civil society is seen as a part of a critique of capitalism. Such a critique still motivates many international and local non-governmental development organizations as well as grassroots organizations in both the North and the South, although there is still a lack of a comprehensive post-capitalist vision.

Civil society in Palestine seems to fall under both descriptions. On the one hand, development organizations invest in Palestinian civil society as an agent for promoting security, stability, and economic development. On the other hand, some Palestinian civil society organizations focus on liberation from oppression and a progressive social agenda. The situation of conflict in Palestine and the association of certain Palestinian civil society organizations with liberation movements and progressive agendas may make the second function seem more important. At the same time, thanks to the influence of some donors and international organizations, the first conception of civil society is still very relevant (i.e., civil society as an agent promoting stability, conflict resolution, notions of 'citizenship' and good governance, and economic development). The influence of donor organizations will be tackled further later in this chapter.

CIVIL SOCIETY - STATE RELATIONS

Introduction

The fourth and final phase of PASSIA's 'Promoting Good Governance' project assessed civil society-state relations in the Palestinian Authority (PA) administered areas of Palestine, focusing on the period from the establishment of the PA in 1994 onwards. The main purpose was to examine how civil society and the government interrelated, and how that interrelationship could be changed in ways that foster better governance. Issues addressed included the nature of relations between the PA and Palestinian non-governmental organizations (NGOs), the relationship between the security services and civil society in Palestine, and attempts by NGOs to press for reforms in the PA. As with other phases of the project, a number of roundtable meetings and 'brainstorming' sessions were held, and recommendations were made as to how relations between Palestinian NGOs and the PA could be improved.

The Concept of Civil Society

The idea of 'civil society' has become increasingly important, especially over the last decade, as an overarching category linking democracy, development, and peaceful management of conflict in the domestic, regional, and global contexts. The term 'civil society' is applied differently by the media, politicians, political theorists, anthropologists, and by activists themselves, but most definitions are based on the idea of a venue for volitional, organized, collective participation in the public arena, which is located between the level of the individual and that of the State.

'Civil society' is a concept that has undergone, and is still undergoing, a process of evolution serving the diverse social, economic, political, and ideological needs of the society. Its application encompasses very diverse organizations such as unions, youth groups, women's organizations, educational and religious organizations, businesses, and even sports clubs.

Promoting Good Governance

municipal funding must be determined and secured with appropriate legislation.

- The most important step is a change in the mentality within the Palestinian political system. Firstly, the relationship between the central authority and local government must be more equitable and mutual, rather than, as at present, characterized by the dominance of the central leadership. Secondly, citizens must be encouraged to view the municipalities in a more positive way and to see them as forces for change and development in their communities.

The above points translate into the following possible roles for the donor community to play:

- Financial support - As mentioned above, if the municipalities are to enjoy any kind of autonomy from central government or provide high-quality public services they will require secure, regular and independent sources of funding. Existing municipalities are in dire need of equipment and funds to hire and retain suitably qualified staff, and the donor community could provide substantial assistance in this regard.
- Training - In order to improve service quality and delivery, trained staff will be required. Donors could provide such training directly or could 'contract out' such assistance to local or foreign non-governmental organizations (NGOs).
- Promoting participation - If municipalities are to be durable and effective, popular participation in their functioning will be essential. Donors could cooperate with local NGOs on suitable public awareness campaigns and workshops in order to promote the work of the municipalities and to help residents become more aware of their role in local government.

Decentralization & Local Government

- Greater popular participation in the municipalities should be encouraged. This will increase awareness of the concept of decentralization amongst citizens.
- The role of the municipal courts should be enhanced and improved by appointing new judges and by strengthening the relationship with the Ministry of Justice.
- There should be a continuation of support for regional planning and public-private partnerships throughout Palestine, the latter having already been recognized as a key factor in the development of many localities in Palestine.
- The municipalities need to coordinate their activities with the Ministry of Finance and it is necessary to determine the relationship between the two.
- Banks for the municipalities should be established to assist them in their projects.
- The Ministry of Local Government and the Ministry of Finance should start to transfer municipalities' funds according to the law, such as transportation and fuel fees.
- In general, the newly formed municipalities will need capacity-building efforts comprised of financial, administrative, and legal assistance.

In addition to the above points, three key issues must be addressed if greater decentralization is to be achieved. These are as follows:

- Reform efforts in general and efforts to strengthen local government in particular cannot be successful whilst the Israeli occupation continues. Only within the context of a political settlement that addresses all final status issues can the reform process bear fruit.
- A fundamental reorganization of the structure of local government is required. Firstly, elections must be held as soon as possible. Secondly, the powers and structure of local government must be set down in new legislation. Thirdly, there must be a strong emphasis on developing human resources in the municipalities in order to build and enhance expertise. Finally,

Promoting Good Governance

- A key obstacle to greater local autonomy is the lack of new legislation. Hence, if power is to be transferred from the central authority to the municipal level, the Ministry of Local Government will need to draft appropriate laws. Such laws will need to be enforced at the national level if they are to have any chance of success and they must take into account local cultural factors.
- In order to make local government more credible and democratic, the system of appointing mayors and municipal councils will have to end. This entails holding free and fair elections for the municipalities at the earliest possible time, regardless of the political situation, and with guarantees from Israel and the international community that they will accept the outcome regardless. It will also be necessary to establish a clear timetable for subsequent elections (e.g., after four years) in order to increase popular pressure on elected officials to deliver on their promises.
- The Ministry of Local Government must deal with all municipalities equally and without discrimination between districts. The municipalities must be independent with regard to financial issues. The PA must also take into consideration the fact that some districts need special emergency assistance because of the Israeli occupation.
- The municipalities must be controlled and inspected by the Ministry of Local Government from the beginning, and workshops and conferences with a focus on the municipalities and their role in society should be held.
- The structure of the municipalities should be reorganized to enhance the 'joint council' idea (i.e., the idea of extensive co-operation between municipalities). At the same time, studies relating to the idea of merging certain municipalities should be undertaken.
- Cooperation between municipalities and international organizations should be increased to help improve efficiency and promote best practice. Agreements should be signed with the donor countries in a bid to boost the funding of municipalities and consequently the way in which they function.

litical climate, would not produce tangible benefits for the Palestinian people.

Recent developments regarding efforts to reform local government in Palestine have included the publication of a 'Diagnostic Study' and a 'Reform Action Plan' by the Ministry of Local Government. These two documents, produced in cooperation with the United Nations Development Program (UNDP) and the Government of Japan, detail the current state of local government in Palestine and obstacles to reform whilst providing a comprehensive plan for decentralizing the Palestinian entity.

The documents were drawn up as part of the reform process, initiated in the wake of the publication of the PA's '100-Day Reform Plan,' released in July 2002. A number of 'Reform Support Groups' were established in cooperation with international actors such as the Quartet and the World Bank to facilitate the reform process. The Government of Japan headed the Reform Support Group on Local Government, whose first job was to produce the above-mentioned documents.

The 'Reform Action Plan' calls for fundamental changes to the legal framework that governs relations between central and local authorities in Palestine in order to allow the latter greater autonomy. In addition, there are measures to improve the financial stability and independence of the municipalities by reforming local property taxes in addition to steps to encourage greater public participation in the work of municipal government. As yet it is unclear whether the plan will be fully implemented, although the first stage, an assessment of necessary changes to legislation relating to local government, has apparently already begun. As with the reform agenda in general, political will, support, and encouragement from the Palestinian population and international donors, as well as the absence of external impediments (e.g., Israeli military activity), will determine whether the 'Action Plan' succeeds.

Recommendations

Throughout the course of the PASSIA project on decentralization, a number of recommendations were made as to how to move reform efforts forward, particularly from Local Government Minister, Jamal Shobaki. These can be summarized as follows:

Promoting Good Governance

- *Economic factors:* Following the outbreak of the *Intifada*, the already fragile Palestinian economy collapsed. The PA is now primarily dependent upon donor aid. This means that local government will almost certainly lack the capacity to be self-sufficient and will either have to rely on the transfer of funds from the central authority or else sign agreements separately with donors. Given the rampant corruption in the PA and the excessive control it exercises, it may be reluctant to allow municipalities to sign agreements with donors independently, which would entail a loss of control over certain funds and a likely decrease in the overall central budget as donors shift spending to the local level.

With regard to the potential risks associated with decentralization efforts, in the Palestinian context the following observations are pertinent:

- Given the highly bureaucratic nature of the central governing body (the PA), it is possible that local government reform efforts will simply add another tier of waste and inefficiency to the Palestinian political system. There is also a risk, given the patriarchal nature of the system (in particular the fact that the leadership accrue substantial material benefits from the current arrangements), that central authorities will be reluctant to cede power, leading to a duplication of functions and endless intra-governmental 'turf wars.'
- Severe shortages of funds and resources (equipment, properly trained staff, etc.) are likely to seriously limit the capacities of local government structures. If decentralization is implemented now, it is unlikely that local residents would notice a significant change in their quality of life.
- The continuation of patriarchal, feudalistic social structures, where local elites dominate at the expense of the majority of Palestinians, means that decentralization may simply perpetuate the domination of the elite class, whilst ordinary citizens would see little benefits, and there would be a serious lack of accountability and transparency.

As mentioned above, if decentralization is to be successful it must be coupled with moves towards greater democratization. As we saw in the previous chapter, democratization efforts in Palestine have been limited at best, which suggests that decentralization, in the current po-

In order to achieve this, Israel allowed the Palestinian security forces to carry out their duties unhindered, which in turn resulted in the existence of a highly centralized and undemocratic system of government that met with little popular resistance.

Within this general framework, the prospects for genuine reforms of local government were limited. Prior to the establishment of the PA, Israel exercised exclusive control over the West Bank and Gaza Strip, which meant that local authorities had little power and were merely administrative units. In addition, they were highly undemocratic with the mayors of the municipalities enjoying almost exclusive control. There was little incentive for the PA to significantly alter these arrangements, given the pressure on it to deliver on security issues, which as mentioned favored severe limitations on democracy and the devolution of power.

By referring back to the prerequisites for decentralization mentioned in the previous section, the following assessment can be made:

- *Political will:* The patriarchal nature of the PA, with its strong tribal-based tendencies, in combination with the intense pressure to deliver on security issues, means that efforts to implement serious reforms of local government are likely to be limited. Nevertheless, there are senior members of the PA who are interested in promoting local elections and increasing the powers and responsibilities of municipal authorities. In May 2004, there were reports that the PA was considering holding municipal elections, although it remains to be seen whether this is a genuine attempt at reform and democratization.
- *Capacities of central government:* The absence of a strong and effective central authority can be a hindrance to decentralization. This may be particularly relevant in the case of Palestine, where, since the outbreak of the Al-Aqsa *Intifada* in September 2000, there has been an almost total collapse of the central governing body, the PA. Efforts to promote decentralization are currently being pursued with the primary aim of increasing stability and security as a 'damage limitation' exercise. Local government reform and renewal is seen by some as a way of combating increasing lawlessness in towns and cities where the state security apparatuses no longer function and of limiting and containing inter-factional strife by bringing warring groups into the political process.

Promoting Good Governance

tirely subject to the will of the central authority and especially that of the President.

The current situation is partly the result of the highly patriarchal nature of the PA, a feature that was inherited from the Palestine Liberation Organization (PLO). Power is concentrated in the hands of President Yasser Arafat who exercises complete control over all aspects of government. The positions of senior ministers and officials are dependent on their unquestioning loyalty to the leader and hence the potential for a genuine plurality of viewpoints is extremely limited. By extension, there is little likelihood of real power being devolved to local bodies or of municipalities being allowed to act independently of the leadership.

A further factor is the prevalence of strong family and kinship loyalties within Palestinian society. Such ties often pose an obstacle to democratic governance, not least of all because they encourage individuals (mayors, municipal members, etc.) to place family interests above the interests of the wider community. Corruption and nepotism can result from this, hampering efforts to establish credible and efficient local democracy.

In addition to these factors, the ongoing Israeli occupation has seriously hampered efforts to implement democratic reforms. This is due, in part, to the fragmentation of the Palestinian Territories that occurred after the Oslo process began, which prompted, according to the Local Government Minister,² moves towards greater centralization in order to maintain the unity of the Palestinian people. Perhaps the main effect though of the Oslo process on attempts at strengthening local government was the nature of the 'autonomous' national authority that was created.

From the outset, the Oslo Agreements took 'security' issues as a primary focus. In particular, the safety and security of Israeli citizens was deemed to be of utmost importance and it was the PA's job to ensure that anti-Oslo resistance factions (e.g., Hamas, the PFLP) were contained and prevented from undermining the process. Israel's aim was to create a police state in the West Bank and Gaza, one that was totally subservient to Israel and whose chief responsibility was to deal with groups or individuals that the State of Israel regarded as a threat.

² Local Government Minister, Jamal Shobaki, speaking at a PASSIA seminar, 1 November 2003, PASSIA, Jerusalem. For a detailed summary of his presentation see <http://www.passia.org/meetings/2003/Nov-11-Decentralization-eng.htm>

To work successfully, decentralization must be preceded by or coupled with democratization. It must also take into account the particular features of the state's political system. Firstly, resource limitation and the capacities of the central authority must be borne in mind in order to prevent problems of overstretched and under-resourced local government structures. Secondly, checks and balances are required to prevent local government being abused and corrupted by narrow interests. It is also important to coordinate activity between central and local government in order to avoid duplication of services, etc. Finally, greater public participation should be encouraged to make the system more responsive and accountable to the people.

Decentralization in Palestine

Municipal and village councils have existed in Palestine since the British Mandate. In June 1967, the Israeli occupation authorities limited their powers whilst solidifying Israeli control over policies and budgets. Worthy of mention here is the fact that the Arab Jerusalem Municipal Council was completely dissolved in 1967, whilst in Gaza, the last municipal elections were held in 1946, in the West Bank in 1976, and in Jerusalem in 1965. As a result of this denial of the right to democratic expression, local government structures atrophied and municipalities in the Palestinian Territories are now characterized by a severe shortage of resources and qualified staff.

With the arrival of the PA, the municipal and village councils took over administrative responsibilities. Currently there are 521 local authorities throughout the West Bank and Gaza, including 107 municipalities, 11 local councils, 374 village councils, and 29 refugee camp directors.

A key feature of the political system that developed in the nominally autonomous Palestinian Territories during the Oslo period was its excessive centralization. Power was concentrated almost exclusively in the hands of the President with other branches of government, including municipalities and governorates, failing to have any significant impact on the decision-making process. During the Oslo period, the President, as part of the system of patronage, directly appointed municipal councils and regional governors. Although elections were held (in 1996) for the Legislative and for the Presidency, no municipal elections have been held since the establishment of the PA. As a result, local and regional government lack any kind of autonomy and are en-

Selected Bibliography

"PLO Chairman Yasir Arafat, Decree Reinstating Pre-1967 Laws in West Bank and Gaza Strip," *Journal of Palestine Studies*, vol. 24, no. 1 (Autumn 1994).

Robinson, Glenn E. "The Growing Authoritarianism of the Arafat Regime," *Survival* 39, no. 2 (Summer 1997).

Robinson, Glenn E. "The Politics of Legal Reform in Palestine," *Journal of Palestine Studies*, vol. 27, no. 1 (Autumn 1997).

Russillo, Frederick M. *Preliminary Judicial System Needs Assessment: The Autonomous Areas of Palestine and the West Bank. Final Report.* San Francisco, November 1994.

Salem, Paul E. "A Critique of Western Conflict Resolution from a Non-Western Perspective," *Negotiation Journal*, Vol. 9, No. 4 (October 1993).

Shehadeh, Raja. *Occupier's Law. Israel and the West Bank.* Washington, DC: Institute of Palestine Studies, 1988.

Shehadeh, Raja. *The Declaration of Principles and the Legal System in the West Bank.* Jerusalem: PASSIA, 1994.

Shehadeh, Raja. *From Occupation to Interim Accords: Israel and the Palestinian Territories.* The Hague: Kluwer Law International, 1997.

Schenker, David. *Palestinian Democracy and Governance: An Appraisal of the Legislative Council.* Washington Institute for Near East Policy, 2000.

Shuqair, Riziq, *Criminal Jurisdiction under the Gaza-Jericho Agreement.* Ramallah: Al-Haq, 1994.

"The State of Human Rights in Palestine II," *The Palestinian Human Rights Monitor*, vol. 1, no. 3 (August 1997), pp. 2-19.

Sullivan, Denis J. *Non-Governmental Organizations and Freedom of Association: Palestine and Egypt - A Comparative Analysis.* Jerusalem: PASSIA, 1995.

United Nations Framework for Strengthening of the Rule of Law (1994), UNGA Doc. A/49/512 (annex); reprinted in Office of the UN Special

Promoting Good Governance

Coordinator in the Occupied Territories, *Rule of Law Development in the West Bank and Gaza Strip - Survey and Status of Development Effort*, Jerusalem, July 1997.

United States Agency for International Development (USAID). *Judicial Administration Project in the West Bank and Gaza*, USAID, Global Bureau, Center for Governance and Democracy, March 1996.

United States Agency for International Development (USAID). "More Responsive and Accountable Governance" and "Special Objective: Transition to Self-Rule Facilitated," USAID/West Bank & Gaza Mission, West Bank and Gaza Strategy, 1996-2000, March 1996.

United States Agency for International Development (USAID). *Rule of Law Support*, USAID/West Bank & Gaza Mission, November 1996.

United States Agency for International Development (USAID). *Developmental Needs of the Palestinian Legislative Council*. Washington, DC, April 1997.

United States Agency for International Development (USAID), "Strategic Objective 3: More Responsive and Accountable Governance," *Results Report and Resources Request, FY 2000*, USAID/West Bank & Gaza Mission, June 12, 1998.

Usher, Graham. "The Politics of Internal Security: The PA's New Intelligence Services," *Journal of Palestine Studies* 25, no. 2 (Winter 1996).

de Waart, Paul J.I.M. *The Legal Status of Palestine Under International Law*. Birzeit University: Institute of Law, 1996.

Wagner, Victoria. *Palestinian Judiciary and the Rule of Law in the Autonomous Areas – An Introduction*. Jerusalem: PASSIA, 2000.

Weinberger, Naomi. "The Palestinian National Security Debate," *Journal of Palestine Studies* 24, no. 3 (Spring 1995).

Wing, Adrien, Sonya Braunschweig, and Quais Abdel-Fattah. "Judicial Review in Palestine," *The Palestine Yearbook for International Law*, 9 (1996/97).

World Bank. *West Bank and Gaza Legal Development Project, Technical Annex to the Memorandum of the President*, May 14, 1997.

Selected Bibliography

Ziadeh, Farhat J. *Lawyers: The Rule of Law and Liberalism in Modern Egypt*. Stanford: Hoover Institution Publications, 1968.

Democracy and Democracy

Abdel Gawad, Gamal (ed.). *The Peace Process: Implications for Democracy and Human Rights*. Cairo Institute for Human Rights Studies, 1997.

Abu Amr, Ziad. "Pluralism and the Palestinians", *Journal of Democracy*, vol. 7, no. 3 (July 1996), p. 83-93.

Abu-Lughod, Ibrahim. "Retreat from the Secular Path? Islamic Dilemmas of Arab Politics", *Review of Politics*, 28 (1966): 447-76.

Asseburg, Muriel and Volker Perthes. *Surviving the Stalemate: Approaches to Strengthening the Palestinian Entity*. Baden-Baden, 1997.

Baaklini, Abdo, Guilain Denoeux, and Robert Springborg. *Legislative Politics in the Arab World: The Resurgence of Democratic Institutions*, Boulder: Lynne Rienner Publishers, Inc., 1999.

Ben-Dor, Gabriel. *Political Participation under Military Regimes*. Beverly Hills: Sage, 1976.

Brooker, Paul. *Defiant Dictatorships: Communist and Middle Eastern Dictatorships in a Democratic Age*. New York: New York University Press, 1998.

Brynen, Rex, Bahgat Korany, & Paul Noble (eds.). *Political Liberalization and Democratization in the Arab World*. (Theoretical Perspectives Vol.1) Boulder: Lynne Rienner Publishers, 1995.

Brynen Rex, Bahgat Korany and Paul Noble (eds.). *Political Liberalization & Democratization in the Arab World*, Volume 2: Comparative Experiences. Boulder, CO: Lynne Rienner Publishers, 1998.

Carapico, Sheila. "Foreign Aid for Promoting Democracy in the Arab World." *Middle East Journal*, Vol. 56, no. 3 (Summer 2002).

Promoting Good Governance

Denoeux, Guilain P. *The United States and the Challenge of Democratization in the Arab World*. Washington, DC: Georgetown University Press, 1996.

Diamond, Larry, Juan J. Linz, & Seymour Martin Lipset (eds.). *Politics in Developing Countries: Comparing Experiences with Democracy*. Boulder: Lynne Rienner Publishers, (Second Edition) 1995.

Esposito, John L. et al. *Islam and Democracy*. Oxford University Press, 1998.

Filali-Ansary, Abdou. "Muslims and Democracy", *Journal of Democracy*, vol. 10, no. 3 (July 1999), p. 18-32.

Garnham, David & Mark Tessler (eds.). *Democracy, War, and Peace in the Middle East*. (Indiana Series in Arab and Islamic Studies) Bloomington: Indiana University Press, 1995.

Goldberg, Ellis, Resat Kasaba, & Joel Migdal (eds.). *Rules and Rights in the Middle East: Democracy, Law, and Society*. Jackson School Publications in International Studies. Seattle & London: University of Washington Press, 1993.

Handbook of Democracy and Governance Program Indicators. USAID: Center for Democracy and Governance, Technical Publication Series, 1998.

Handelman, Howard and Mark Tessler (eds.) *Democracy and Its Limits: Lessons from Asia, Latin America, and the Middle East*. Helen Kellogg Institute for International Studies, University of Notre Dame Press, 2000.

Hanf, Theodor & Bernard Sabella in collaboration with Petra Bauerle. *A Date with Democracy: Palestinians on Society and Politics. An Empirical Survey*. Freiburg im Breisgau: Arnold Bergstraesser Institut, 1996.

Harik, Iliya. "Pluralism in the Arab World", *Journal of Democracy*, vol. 5, no. 3 (July 1994), p. 43-56.

Harris, William, Amatzia Baram, Ahmad Ashraf. Heath Lowry and Yessim Arat. *Challenges to Democracy in the Middle East*. Markus Wiener Publishers, 2001.

Selected Bibliography

Hassassian, Manuel. "The Democratization Process in the PLO: Ideology, Structure and Strategy," in Edy Kaufman, Shukri Abed and Robert Rothstein, *Democracy, Peace, and the Israeli-Palestinian Conflict*. Boulder, CO: Lynne Rienner, 1993: 257-285.

Haynes, Jeff and Jeffrey Haynes (eds.). *Democracy in the Developing World: Africa, Asia, Latin America, and the Middle East*. Helen Kellogg Institute for International Studies, University of Notre Dame Press, 2000.

Israel-Palestine Center for Research and Information (IPCRI). *The Evolution and Development of Democracy in Israel and Palestine*. Civil Society Publications Series, Jerusalem: IPCRI, 1998.

Issawi, Charles. "Economic and Social Foundations of Democracy in the Middle East", *International Affairs*, 32 (January, 1956).

Kaufman, Edy, Shukri Abed and Robert Rothstein. *Democracy, Peace, and the Israeli-Palestinian Conflict*. Boulder, CO: Lynne Rienner, 1993.

Kedourie, Elie. *Democracy and Arab Political Culture*. London: Frank Cass, 1994.

Korany, Bahgat, Rex Brynen and Paul Noble. *Political Liberalization and Democratization in the Arab World. Vol. 2, Comparative Experiences*. Lynne Rienner, 1998.

Magnarella, Paul (ed.). *Middle East and North Africa: Governance, Democratization, Human Rights*. Ashgate Publishing Company, 1998.

Price, Daniel E. *Islamic Political Culture, Democracy, and Human Rights: A Comparative Study*. Westport, CT: Praeger Publishers, 1999.

Richani, Nazih. *Dilemmas of Democracy and Political Parties in Sectarian Societies: The Case of the Progressive Socialist Party of Lebanon, 1949-1996*. New York: St. Martin's Press, 1998.

Rudebeck, Lars and Olle Tornquist with Virgilio Rojas. *Democratization in the Third World: Concrete Cases in Comparative and Theoretical Perspective*. New York: St. Martin's, 1998.

Promoting Good Governance

Rueschemeyer, Dietrich, Marilyn Rueschemeyer and Bjorn Wittrock. eds. *Participation and Democracy, East and West: Comparisons and Interpretations*. M.E. Sharpe, 1998.

Sachedian, Abdulaziz and Joseph Montville (eds.). *The Islamic Roots of Democratic Pluralism*. Oxford University Press, 2001.

Sadiki, Larbi. *Progress and Retrogression in Arab Democratization*. Jerusalem: PASSIA, 1992.

Sahliyah, Emile J. "Democracy Among the Palestinians," in David Garnham & Mark Tessler (eds.), *Democracy, War, and Peace in the Middle East*. Bloomington: University of Indiana Press, 1995.

Saikal, Amin, and Albrecht Schnabel (eds.). *Democratization in the Middle East: Experiences, Struggles, Challenges*. United Nations Publications: 2003.

Salame, Ghassan (ed.). *Democracy Without Democrats? The Renewal of Politics in the Muslim World*. New York: St. Martin's Press, 1995.

Schenker, David. *Palestinian Democracy and Governance: An Appraisal of the Legislative Council*. Washington Institute for Near East Policy, 2000.

Shadid, Anthony. *Legacy of the Prophet: Despots, Democrats, and the New Politics of Islam*. Boulder, CO: Westview Press, 2001.

Shikaki, Khalil. "The Peace Process, National Reconstruction and the Transition to Democracy in Palestine," *Journal of Palestine Studies*, vol. 25, no. 2 (Winter, 1996).

Sivan, Emmanuel. "Constraints and Opportunities in the Arab World", *Journal of Democracy*, vol. 8, no. 2 (April 1997): pp. 103-113.

Solingen, Etel. "Quandaries of the Peace Process", *Journal of Democracy*, vol. 7, no. 3 (July 1996): pp. 139-153.

Sullivan, Denis J. *Non-Governmental Organizations and Freedom of Association: Palestine and Egypt - A Comparative Analysis*. Jerusalem: PASSIA, 1995.

Selected Bibliography

Wing, Adrien K. *Democracy, Constitutionalism and the Future State of Palestine: With a Case Study on Women's Rights*. Jerusalem: PASSIA, 1994.

Decentralization & Local Government

Antoun, R. Decentralization and the Status of Municipalities in Lebanon. *CERMOC (Center D'études et de Recherches sur le Moyen-Orient Contemporain)*, Beirut, April 17, 1999.

Al-Araj, Hussein. "The Evolution of the Palestinian Local System." Paper presented at the International Conference – Globalization – Sustainable Development – Local Government: Challenges of the 21st Century, Berlin, September 2000. Available at: <http://www1.kas.de/publikationen/2000/entwicklung/palestinian.pdf>

Atallah, Sami. "Fiscal Decentralization in Lebanon". The Second Mediterranean Development Forum, 1998. Available at: <http://www.worldbank.org/mdf/mdf2/papers/gov/atallah.pdf>.

Brown, Nathan. *The Palestinian Reform Agenda*. United States Institute of Peace: Peaceworks series, 2002. Available at: <http://www.usip.org/pubs/peaceworks/pwks48.pdf>

Ebel, Robert D., William Fox, and Rita Melhem. "Fiscal Decentralization in the Hashemite Kingdom of Jordan". Washington D.C: The World Bank, 1995. Available at: www1.worldbank.org/wbiep/decentralization/mena.htm

Economic and Social Commission for Western Asia. "Decentralization and the Emerging Role of Municipalities in the ESCWA Region". New York: United Nations, 2001.

Eltony, N. M. *Measuring Tax Effort in Arab Countries*, Economic Research Forum Working Paper Series 0229, 2003.

Eran, Razin. *Local Government Reform in Israel: Between Centralization and Decentralization, Between Traditionalism and Modernity*. Jerusalem: Floersheimer Institute for Policy Studies, 2003.

Promoting Good Governance

Fawaz, Mona. "Reflections on Best Practices in Governance in ESCWA Countries," The Fourth Mediterranean Development Forum, 2002. Available at: <http://www.worldbank.org/mdf/mdf4/papers/atallah.pdf>

"Final Report of the First Conference on Fiscal Decentralization. Nablus, Palestine, June 25 and 25 1998." Washington D.C: The World Bank, 1995. Available at: <http://www1.worldbank.org/wbiep/decentralization/menalib/Trans.htm>

Fox, W. and E.S. Ghamen. "Decentralization in Egypt: The First Steps Have Been Taken." The Second Mediterranean Development Forum, 1998. Available at: <http://www.worldbank.org/mdf/mdf2/papers/gov/fox.pdf>.

Hamid, Gamal. "Localizing the Local: Reflections on the Experience of Local Authorities in Sudan". The Fourth Mediterranean Development Forum, 2002. Available at: www.worldbank.org/mdf/mdf4/.

Hirschmann, David. "Challenges of Managing Local Elections in Transitional and Poor Countries: An Illustrative Essay". Washington: American University, Center for Democracy and Election Management. Available at: http://www.american.edu/internationalaffairs/cdem/pdfs/fs2003_hirschman.pdf

Hoffman, Katherine E. "Administering Identities: State Decentralisation and Local Identification in Morocco," *The Journal of North African Studies*, Vol.5, No.3 (Autumn 2000): 85-100.

Human Rights Watch. "Yemen's Constitutional Referendum and Local Elections", *Human Rights Watch Backgrounder*, February 2001.

Kasasbeh, Hamad. "Decentralization in Jordan" (Discussion). The First Mediterranean Development Forum, 1997. Available at: <http://www.worldbank.org/wbi/mdf/mdf1/jordan.htm>.

The Lebanese Center for Policy Studies. *Decentralization, Democratization and Local Government in the Arab Region*. Beirut, 2003.

Majdalani, Roula. "Municipal Governance and Expanded NGOs Role in Selected Countries in the Middle East" The Third Mediterranean Development Forum, 2000. Available at: <http://www.worldbank.org/mdf/mdf3/papers/reform/Majdalani.pdf>

Selected Bibliography

Mayfield, James. *Local Government in Egypt: Structure, Process and the Challenges of Reform*. Cairo: The American University in Cairo Press, 1996.

Onsu, Ayse. "Local Authorities and their Constituencies in the MENA Region: Building Access and Participation." The Fourth Mediterranean Development Forum, 2002.

Radwan, Hanan Hamdy. "Democratization in Rural Egypt: A Study of the Village Local Popular Council". *Cairo Papers in Social Science*, Volume 17, Monograph 1, Spring 1994.

Rassem, Khamaisi. *Planning and Development of Localities in the Emerging Palestinian Entity*. Jerusalem: Floersheimer Institute for Policy Studies, 1994.

Rassem, Khamaisi. *Towards Strengthening Local Government in Arab Localities in Israel*. Jerusalem: Floersheimer Institute for Policy Studies, 1994.

Janner-Klausner David. *Decentralization of Planning in Arab Local Authorities in Israel*. Jerusalem: Floersheimer Institute for Policy Studies, 1994.

Rondinelli, Dennis. "Administrative Decentralization and Economic Development: The Sudan Experiment with Devolution," *Journal of Modern African Studies*, 19, No. 4, 1981: pp. 595-624.

Salem, Paul. *Local Government and Decentralization in the Arab World. World Conference on Local Government Finance*, Washington DC: World Bank, April 1998.

Sarrouh, Elissar. *Decentralized Governance for Development in The Arab States: A Background Paper on Decentralization and Local Governance Policies, Legal Frameworks, Programmes, Lessons Learned and Good Practices*. UNDP, 2003.

Sawi, Ali. "Governors Without Governance: Constitutional, Legal and Administrative Frameworks of Local Government in Egypt." The Fourth Mediterranean Development Forum, 2002. Available at: <http://www.worldbank.org/mdf/mdf4/papers/sawi.pdf>

Promoting Good Governance

Sewell, David. Decentralization and Intergovernmental Finance in the Palestinian Authority. The World Bank, 2002. Available at <http://www1.worldbank.org/wbiop/decentralization/menalib/sewell.pdf>.

Vaillancourt, François. "Morocco and Tunisia: Financing Local Governments – The Impact on Infrastructure Finance," in R. Bird and F. Vaillancourt *Fiscal Decentralization in Developing Countries*, Cambridge University Press, 1998.

Vaillancourt, François. Local Government Finance Reforms in Morocco and Tunisia: 1992–1998: What? Why? and How?" The Second Mediterranean Development Forum, 1998. Available at: <http://www.worldbank.org/mdf/mdf2/papers/gov/vaillancourt.pdf>.

The World Bank. "MENA Development Report: Better Governance for Development in the Middle East and North Africa, Enhancing Inclusiveness and Accountability". IBRD/ The World Bank, 2003.

Civil Society-State Relations

Abootalebi, Ali R. "Civil Society, Democracy and the Middle East." *MERIA Journal*, Vol. 2, No. 3, September 1998.

Abdul Hadi, Mahdi (editor). *Dialogue on Palestinian State-Building and Identity: PASSIA Meetings and Lectures 1995-1998*. Jerusalem: PASSIA, 1999.

Arab Thought Forum/Bruno Kreisky Forum for International Dialogue. *The Role of NGOs in the Development of Civil Society: Europe and the Arab Countries*. Proceedings of a seminar held in Amman, Jordan, on December 6-7, 1997. Amman: Arab Thought Forum, 1997.

Barghouti, Mustafa. *Palestinian NGOs and Their Role in Building a Civil Society*. Jerusalem: Union of Palestinian Medical Relief Committees, 1994.

Claudet, Sophie. *The Changing Role of Palestinian NGOs Since the Establishment of the Palestinian Authority*. Study prepared for the World Bank, July 1996.

Selected Bibliography

- Frisch, Hillel. *Countdown to Statehood: Palestinian State Formation in the West Bank and Gaza*. State University of New York Press, Albany, 1998.
- Hammami, Rema. "Palestinian NGOs Since Oslo: From NGO Politics to Social Movements?" *Middle East Report*, vol. 30, no. 1 (Spring 2000): 16-19.
- Hilal, Jamil. "State-Society Dynamics Under the PNA." *Ibn Khaldun Center Newsletter*, February 1999.
- Norton, Augustus Richard (ed.). *Civil Society in the Middle East, Volume One*. Leiden: E.J. Brill, 1995.
- Norton, Augustus Richard (ed.). *Civil Society in the Middle East, Volume Two*. Leiden: E.J. Brill, 1996.
- Özdalga, Elisabeth and Persson, Sune (editors). *Civil Society, Democracy and the Muslim World* (Transactions Vol. 7). Papers Read at a Conference Held at the Swedish Research Institute in Istanbul, 28-30 October 1996. Istanbul: Swedish Research Institute, 1997.
- Palestinian Academic Society for the Study of International Affairs (PASSIA). *Policy Analysis: Civil Society Empowerment*. PASSIA, Jerusalem, 1998.
- Palestinian Academic Society for the Study of International Affairs (PASSIA). *Strategic Planning: Civil Society Empowerment*. PASSIA, Jerusalem, 1998.
- Parker, Christopher. *Resignation or Revolt? Socio-political Development and the Challenges of Peace in Palestine*. London: I.B. Tauris Publishers, 1999.
- Schwedler, Jillian (editor). *Toward Civil Society in the Middle East? A Primer*. Lynne Rienner Publishers, Boulder, 1995.
- Springborg, Robert. *Military Elites and the Polity in Arab States*. A Development Associates Occasional Paper in Democracy and Governance, No. 2, n.d. Available at: <http://www.devassoc1.com/occpap2.doc>.

Promoting Good Governance

Sullivan, Denis J. *Non-Governmental Organizations and Freedom of Association: Palestine & Egypt - A Comparative Analysis*. Jerusalem: PASSIA, 1995.

Tabar, Linda. "Changing State-Society Relations In the Era of "Good Governance": The Relationship Between the Palestinian Non-Governmental Organizations and the Palestinian National Authority." Draft discussion paper presented at a conference on "NGOs and Governance in the Arab Countries" in Cairo, 29-31 March 2000.

Tirado Chase, Anthony B. *The Palestinian Authority Draft Constitution: Possibilities and Realities in the Search for Alternative Models of State Formation*. Civil Society Publications. Jerusalem: IPCRI, 1997.

W E B G U I D E

- ⇒ By Topic
- ⇒ By Regional Focus

⇒ TOPICS

GOVERNANCE GENERAL

<http://www.ids.ac.uk/ids/govern/index.html>

Institute of Development Studies - information on projects, including policy papers, findings, and links related to the programs on *Strengthening Democratic Governance in Conflict-Torn Societies* and on *Civil Society and Governance*.

<http://www.grc-exchange.org/>

Website of the Governance Resource Centre (GRC) of the UK Department for International Development (DFID), which provides a focal point for sharing information and ideas about governance. Its *Governance Themes* pages explore key texts and resources of governance issues, including links to recommended websites and organizations. Also contains an *Information Database* with brief, policy oriented summaries of the best writing on governance, providing contact information on the author and associated organizations, plus access to the full text online or through the document delivery service; and an *Organization Database* with summaries of the key organizations working in the field of governance.

www.u4.no

The Utstein Anti-Corruption Resource Centre - includes a very rich project database searchable by implementing agency, regions/countries, and keywords (sectors), annotated and downloadable documents, and a comprehensive and annotated links section.

<http://www.undp.org/governance/>

Comprehensive website focusing on UNDP's work in democratic governance covering legislatures, electoral systems and processes, access to justice and human rights, decentralization and local governance, accountability and transparency, public administration and civil service reform, and related issues. Contains many resources and links.

<http://www.undp-pogar.org/>

Information Portal of UNDP's Program on Governance in the Arab Region aimed at capacity building in the fields of Rule of Law, Participation, and Transparency and Accountability. Includes resources on governance in the Arab states such as essays, publications, studies, databases and web links.

http://www.oecd.org/findDocument/0,2350,en_2649_37405_1_1_1_1_37405,00.html

Documentation section of the OECD Public Governance and Management chapter; comprehensive selection of online material on governance-related issues, incl. case studies, best practices, country guides, legal and other documents, manuals, policy papers, questionnaires, and other publications and materials.

<http://www.pdgs.org/main-orga.htm>

Website of the *Partnership for Democratic Governance and Security (PDGS)*, which is an information, education and development alliance that promotes and supports democratic governance and capacity-building of civilian institutions in emerging democracies. Includes information and contacts from around the world in the field of democratic governance, security and civil-military relations, as well as a large collection of documents, policy instruments, practical experiences and reports.

<http://www.worldbank.org/wbi/gac>

Website of the World Bank Institute on improving governance and controlling corruption; contains action-oriented learning and capacity-building tools, anti-corruption resources, online auricles, and a databank of governance-related materials.

<http://www.transparency.org/>

Website of Transparency International that works to build worldwide coalitions of states, civil society and the private sector, in order to fight domestic and international corruption. Page includes reports, corruption surveys and indexes, an online sourcebook, a Corruption Fighters' Toolkit, and Coris, a comprehensive web portal and database on anti-corruption resources, searchable by themes and/or countries.

<http://magnet.undp.org/docs/crisis/mapexercise.htm>

Full text online version of a comprehensive concept paper entitled "*Promoting Conflict Prevention and Conflict Resolution through Effective Governance: A Conceptual Survey and Literature Review.*"

http://www.ifes.org/rule_of_law/judicial_independence.pdf

Online handbook on *Guidance for Promoting Judicial Independence and Impartiality*, covers key processes, institutional arrangements and regional and country studies.

<http://www.usaid.gov/democracy/>

USAID site on democracy and governance initiatives; information on agency objectives, resources, case studies and links.

<http://www.cipe.org/index.htm>

The Center for International Private Enterprise (CIPE), works to build democratic institutions and market-oriented reform worldwide through combating corruption, strengthening corporate governance, and supporting democratic values and institutional reforms. Site includes articles, toolkits, speeches, links and electronic roundtables.

<http://www.nobribes.org/>

Website of the Anti-Corruption Gateway for Europe and Eurasia, a portal of anti-corruption information, strategies, project documentation, tools, legislation, news, survey results, and research with regard to countries in Eastern Europe and the Former Soviet Union. Includes also a online library and assessment resources.

<http://www.worldbank.org/mdf/>

Website of the Mediterranean Development Forum (comprised of Middle East and North African think tanks, the UNDP, and the World Bank Institute), dedicated to empowering civil society to participate in shaping public policy. Includes project information and papers presented at various conferences on issues such as decentralization, governance, development, institutional reforms, and civil society.

<http://www.eldis.org/participation/>

The ELDIS resource guide on participation includes the research themes of citizenship, participation and governance, and decentralization. The manuals and tools section (<http://www.eldis.org/manuals/toolspart.htm>) has a sub-link to 'governance'

<http://www.cggl.org>

Website of the Campaign for Good Governance in Lebanon/Center for Democracy and the Rule of Law which works on strengthening democracy, upholding the rule of law, advancing democratic values, practices and institutions, training citizens and leaders, and monitoring anti-democratic practices.

RULE OF LAW

<http://www.abanet.org/ceeli/>

The Central European and Eurasian Law Initiative (CEELI) - a project of the American Bar Association - advances the rule of law by supporting the legal reform process in Central and Eastern Europe and the former Soviet Union.

<http://jurist.law.pitt.edu/world/palest.htm>

JURIST: *The Legal Education Network* is a comprehensive legal research resource maintained by the University of Pittsburgh School of Law; contains documents and links on international and general legal issues as well as a world law collection with a large list of countries, each of which is divided into subjects such as Constitution, Government & Legislation; Courts & Judgments; Human Rights; Legal profession; and Law Schools; there is a separate entry for the Palestinian Authority.

http://www.ceip.org/files/projects/dlr/dlr_home_060903.ASP

Democracy and Rule of Law project of the Carnegie Endowment for International Peace; examines the state of democracy and successes/failures in democratic transitions, with a focus on political change in the Middle East, rule of law development, and political party strengthening. Includes articles, essays and a monthly newsletter on Arab reforms as well as

<http://lawcenter.birzeit.edu/>

Website of Birzeit University's Institute of Law whose two main objectives are to contribute to the rehabilitation of the legal professions and to the Palestinian legislative process through applied legal research, legal education and establishing comprehensive and modern legal information and documentation resources and facilities. The latter includes the Palestine Legal Databank System, or *Al-Muqtafi*, which consists of inter-connected databases, with indexing and search facilities.

<http://www.arts.mcgill.ca/programs/polisci/faculty/rexb/unscoruleoflaw/index.html>

Comprehensive UNSCO report on status and prospects rule of law development in the Palestinian territories.

<http://www.catalaw.com/>

Huge catalog of worldwide law on the Internet, allowing legal research by topics, regions and other issues (e.g., legal institutions, periodicals, etc.)

http://www.ifes.org/rule_of_law/judicial_independence.pdf

Online handbook on *Guidance for Promoting Judicial Independence and Impartiality*, covers key processes, institutional arrangements and regional and country studies.

<http://www.hri.ca/doccentre/>

Probably the web's most comprehensive list of electronic human rights documentation.

<http://www.loc.gov/law/public/law.html>

Comprehensive website full of resources and links to all kind of legal research items.

<http://www.soas.ac.uk/Centres/IslamicLaw/>

Website of the SOAS Center of Islamic and Middle Eastern Law; analyzes the various systems of law at work in the Islamic and Middle Eastern world and promotes the rule of law. Includes lectures, a virtual library of Islamic and Middle Eastern Law materials, reading lists and study information, as well as information on specific projects.

<http://www.ibanet.org/>

Website of the International Bar Association, contains "reading rooms" with comprehensive catalogues of publications on almost every aspect of law.

<http://www.pili.org>

Website of the Public Interest Law Initiative in Transitional Societies, which strives to help the development and networking of public interest law communities in Central and Eastern Europe, Russia and Central Asia. Includes full-text publications concerning both the education and practice of the legal defense of the under-represented and a bibliographical database of additional sources.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacm007.pdf

Practical guide for Promoting Judicial Independence and Impartiality; helps to design and implement programs that strengthen judicial independence.

<http://www.adalah.org/eng/index.php>

Adalah - The Legal Center for Arab Minority Rights in Israel - aims to achieve equal individual and collective rights for the Arab minority in Israel in different fields including land rights; civil and political rights; cultural, social, and economic rights; religious rights; women's rights; and prisoners' rights.

<http://www.globalpolicy.org/ngos/role/statearch.htm>

Archived Articles archives on NGOs and States maintained by the Global Policy Forum.

<http://www.commonwealthfoundation.com/programmes/programme.cfm?id=30>

Website of the Commonwealth Foundation Program on Civil Society-Government Relations that aims to strengthen relations between governments and NGOs. Its landmark document *Non-Government Organisations: Guidelines for Good Policy and Practice* is available online.

<http://www.cggl.org>

Website of the Campaign for Good Governance in Lebanon/Center for Democracy and the Rule of Law which works on strengthening democracy, upholding the rule of law, advancing democratic values, practices and institutions, training citizens and leaders, and monitoring anti-democratic practices.

DEMOCRACY & ELECTIONS

<http://www.wmd.org/>

Website of the World Movement for Democracy - a global network of democrats (activists, practitioners, academics, policy makers, and funders) who cooperate in the promotion of democracy. Includes lots of useful material, such as a list of electronic newsletters, workshop reports, information on regional and functional networking, and an extensive resource database.

<http://www.ifes.org>

Website of the International Foundation for Election Systems, which seeks to bolster democracy worldwide by developing programs that strengthen rule of law, good governance and civil society. The site contains reports, project descriptions, election surveys of various countries, a good links sections with a database on elections and political information, an election guide for dates, information and results.

http://www.ceip.org/files/projects/dlr/dlr_home_060903.ASP

Democracy and Rule of Law project of the Carnegie Endowment for International Peace; examines the state of democracy and successes/failures in democratic transitions, with a focus on political change in the Middle East, rule of law development, and political party strengthening. Includes articles, essays and a monthly newsletter on Arab reforms.

<http://www.accessdemocracy.org/>

Website of the National Democratic Institute (NDI) designed for democratic activists and practitioners around the world; includes websites and resource materials, shares lessons and communicates best practices for promoting peaceful political change.

<http://www.idea.int/>

International Institute for Democracy and Electoral Assistance - Intergovernmental organization that supports sustainable democracy in new and established democracies; draws on comparative experience, analyses democracy trends and assistance, and develops policy options, tools and guidelines relating to participation, electoral systems, political parties, and post-conflict democracy building. A handbook on participation, representation, conflict management and governance ("Democracy at the Local Level") is available online at **http://www.int-idea.se/publications/democracy_at_local_level/index.htm**.

<http://www.ipu.org/>

Website of the Inter-Parliamentary Union specialized in the promotion of representative and parliamentary democracy; has a database of parliamentary information (electoral systems, election results, etc.) for all coun-

tries with a national legislature, as well as a searchable online library for books and articles dealing with parliamentary law and practice.

<http://www.epicproject.org/>

Comparative and country-by-country data on election systems, laws, management and administration

<http://www.dec.org/default.cfm?CFID=333321&CFTOKEN=4717632>

Development Clearing House with thousands of online articles and reports related to development issues; one major sector is democracy.

<http://www.ccd21.org/>

Page of the Community of Democracies (from a diverse mix of regions, cultures, and religions), which is dedicated to a core set of democratic principles and to support cooperation among democracies worldwide. Includes information on events and activities, an online democracy library, and links.

<http://www.ned.org>

Website of the National Endowment for Democracy, which aims to strengthen democratic institutions around the world. Publishes, among other things, the *Journal of Democracy*, with the full texts of some articles available online (<http://www.journalofdemocracy.org/>). Specially useful is the research section with its *Democracy Projects Database* (<http://www.ned.org/dbtw-wpd/textbase/projects-search.htm>), online guides on *Democracy* and on *Funding Sources in International Democratic Development* (<http://www.ned.org/research/demresources/intro.html> and <http://www.ned.org/research/funding/democracyfunding.html>).

<http://www.worldaudit.org/>

Brings together statistics and reports from highly respected agencies (Human Rights Watch, Freedom House, Transparency International, Amnesty International, The International Commission of Jurists) to present a regularly updated World Democracy Audit, monitoring and ranking 149 nation states.

<http://www.aceproject.org/default.htm>

Contains comprehensive information on all aspects of organizing elections, divided into 12 major topic areas. It further has useful examples of genuine election materials from around the world indexed by subject or country. Most of the materials are provided in the PDF-format.

<http://www.idea.org/>

Website of the Institute for Democracy in Eastern Europe; information on East European civil society initiatives for democratization; newsletter, and links.

Promoting Good Governance

<http://www.usaid.gov/democracy/>

USAID site on democracy and governance initiatives; information on agency objectives, resources, case studies and links.

<http://www.ujrc-jordan.org/>

Jordanian NGO that promotes democracy through national dialogue, encouraging political participation, strengthening democratic legislation and expanding the role of civil society.

<http://www.eisa.org.za/>

Website of the Electoral Institute of South Africa, which aims to strengthen electoral processes, good governance, human rights and democratic values targeting governments, electoral commissions, political parties, civil society organisations and other institutions operating in the democracy and governance fields.

<http://cdp.binghamton.edu/papers.html>

Working Paper Series from the Center on Democratic Performance (Binghamton University) tackling Democracy & Public Opinion, Citizens & Markets, Assessing Democracy, and Conflict and Democracy.

<http://www.islam-democracy.org/index.asp>

Website of the Washington-based Center for the Study of Islam & Democracy (CSID), which is dedicated to studying Islamic and democratic political thought and merging them into a modern Islamic democratic discourse. Contains the *Muslim Democrat*, a quarterly newsletter with articles, book reviews, and event announcements, as well as conference papers, articles, reports and a link section related to Islam and Democracy.

<http://www.css-jordan.org/>

Site of the Center for Strategic Studies at the University of Jordan, Amman; runs regular polls on government performance and democracy in Jordan (see especially <http://www.css-jordan.org/polls/index.html>).

<http://www.nimd.org/>

Website of the Netherlands Institute for Multiparty Democracy, which supports the process of democratization in young democracies by strengthening political parties as the pillars of parliamentary democracy; runs programs in South America, Africa and Indonesia.

<http://www.afrobarometer.org/>

Undertakes and publishes online a comparative series of national public attitudes surveys on issues such as democracy and civil society in Africa.

<http://www.upd.oas.org/lab/aboutupd.html>

Unit for the Promotion of Democracy (UPD) is the principal body within the

General Secretariat of the Organization of American States (OAS) responsible for activities in support of democratic consolidation in the member states.

<http://www.cdd.org.uk/>

Website of the Centre for Democracy and Development, which promotes democracy in Africa and works in the areas of governance, human rights, peace & security, etc. Has a resources section with full text articles and other materials.

<http://www.freedomhouse.org/>

Website of Freedomhouse, which does research, advocacy and training with regard to the world's young democracies, which are coping with transition, dictatorship, and political repression. The page includes information on programs, annual country-by-country studies and democracy ranking lists.

<http://www.iidemocracy.coe.int>

Website of the International Institute for Democracy, which encourages cooperation between governmental, non-governmental and inter-parliamentary organizations, as well as between national parliaments, with a view to promoting and strengthening pluralistic democracy. Includes a comprehensive monthly Clearing House Review of information on recent publications from institutions around the world covering such topics as elections, civil society, human rights, corruption, media, public administration, and women.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacf631.pdf

Manual for managing assistance in support of political and electoral processes based on USAID expertise and case studies.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnac223.pdf

Guide on political finance and increasing transparency in emerging democracies.

<http://www.baladnayouth.org/whorwe.shtml>

Baladna is an Arab-Israeli organization which aims to create an internal Palestinian political culture based on pluralism and democracy, not factionalism, and to emphasize gender equality. It serves as a framework for strengthening youth and for enabling them to express their potential in leadership, creativity, and culture.

<http://www.cggi.org>

Website of the Campaign for Good Governance in Lebanon/Center for Democracy and the Rule of Law which works on strengthening democracy, upholding the rule of law, advancing democratic values, practices and institutions, training citizens and leaders, and monitoring anti-democratic practices.

<http://www.arabelectionlaw.net/>

Online Arab Election Law Compendium; presents a collection of Arab election laws in Arabic and either English or French. It includes full texts of laws, background on the election process in ten Arab countries and detailed analysis of each law.

DECENTRALIZATION & LOCAL GOVERNANCE

<http://www.undp.org/governance/docsdecentral/participationandpartnership.pdf>

Online publication *The Role of Participation and Partnership in Decentralized Governance*, which uses a case study to look at the lessons and recommendations of nine countries.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnach300.pdf

Online practical guide to USAID officers who are faced with the task of developing program activities in the areas of decentralization and democratic local governance. Provides a conceptual framework; guidance for choosing successful programming strategies, for selecting entry points and tactics in program design and implementation, and for mission monitoring and evaluation; and a discussion of key lessons learned and future programming issues.

http://www.gtzsfdm.or.id/documents/library/on_dec/GTZSectorGuideline_Decent2001.pdf

Online sector guideline on "Decentralization," exploring the significance of decentralization for development policy and describes the standards GTZ applies for activities in this field.

<http://www.idasa.org.za/>

Website of the Institute for Democracy in South Africa (Idasa) that promotes democracy in South Africa by building capacity for democracy in civil society and government. See especially the program 'Local Government Centre,' which seeks to empower municipalities for better governance.

<http://www.worldbank.org/wbi/publicfinance/>

Website of the World Bank Institute on Public Finance, Decentralization and Poverty Reduction; contains information on programs and activities, features, course modules, online courses and a section with library listings that can be browsed by region or topic and whose entries are partly online available.

<http://www1.worldbank.org/publicsector/decentralization/admin.htm>

World Bank website on issues related to public governance and decentralization (fiscal, administrative and with regard to service delivery). The site

contains references for key readings, data, World Bank projects, lessons learned, tools and other sources of information.

www.decentralization.org/

World Bank special website on decentralization with lots of information, resource material and links to related issues, incl. local government and public policy reforms, institutional development, public finance and fiscal reforms.

http://www.uncdf.org/english/local_development/index.php

The website contains information on UN Capital Development Fund's work on local governance and decentralization and presents policy documents, strategy papers, selected case/program studies and reports. A database of UNCDF programs in various countries and related links are also presented.

<http://www.snvworld.org/cds/rglpp/>

Online reference guide on local governance issued by the SNV Netherlands Development Organisation; contains a bibliography, tools & instruments, cases and experiences of local governance work in different countries, web links and a handbook on gender and local governance.

<http://www.eldis.org/participation/>

The ELDIS resource guide on participation includes the research themes of citizenship, participation and governance, and decentralization. The manuals and tools section (<http://www.eldis.org/manuals/toolspart.htm>) has a sub-link to 'governance.'

<http://www.ichrp.org/index.html?project=116>

Section on local government of the International Council of Human Right Policy's website; includes online publications, working papers, and links on local government.

www.kit.nl/specials/html/de_decentralization_home.asp

Decentralization resources on the website of the Royal Tropical Institute (Netherlands), includes overviews and discussion of trends and developments; development, policy and practice experiences related to decentralization and governance; documents and publications; web resources and links to tools, guidelines and methods, and a glossary of decentralization terms.

www.decentralization.ws/

Website of the Asian Resource Center for Decentralization; contains a data bank of studies, papers and publications on decentralization experiences in the Asia Pacific Region and documents best practices and lessons learned in the field of decentralization and local governance. A Sourcebook on Decentralization Experiences in Asia is full text online available.

Promoting Good Governance

www.ddialogueen.org/

Dialogue on Decentralization website – contains news articles (incl. archive), discussion groups, database of experiences searchable by topic or country, library of articles and documents searchable by topic or country, as well as links.

www.ciesin.columbia.edu/decentralization/

The Online Sourcebook on Decentralization and Local Development of the Center for International Earth Science Information Network; explains the general concept of decentralization as well as developments and experiences, and contains a wealth of tools, case studies and articles dealing with specific issues (e.g., Accountability, Transparency and Corruption in Decentralized Governance, Civil Society and Decentralization, Fiscal Decentralization, Constitutional, Legal and Regulatory Frameworks, Decentralization and Economic Growth, Education and Decentralization, etc.).

<http://www.icmd-cidm.ca/>

Website of the International Centre for Municipal Development.

CIVIL SOCIETY-STATE RELATIONS

<http://www.pdgs.org/main-orga.htm>

Website of the *Partnership for Democratic Governance and Security (PDGS)*, which is an information, education and development alliance that promotes and supports democratic governance and capacity-building of civilian institutions in emerging democracies. Includes information and contacts from around the world in the field of democratic governance, security and civil-military relations, as well as a large collection of documents, policy instruments, practical experiences and reports.

<http://www.cipdd.org/cipdd/prod03.htm> (Georgia)

Online version of *The Army and Society In Georgia (A&S)*, an English language monthly bulletin of the Center for Civil-Military Relations and Security Studies.

<http://www.cssra.org/>

Website of the Civil Society State Relations for Africa (CSSRA) Network serves as an electronic portal of information about civil society legislation in African countries.

<http://www.civnet.org/web/index.php>

International resources for Civic Education and Civil Society; includes articles, documents, *teaching material and links*.

<http://www.civicus.org>

International alliance dedicated to strengthening Citizen Action and Civil Society throughout *the world*.

<http://www.cpn.org>

Civic practices network that has in its tools section interesting online material, including a Civic Dictionary on the Models and Techniques of Democratic Practices and Civic Work; full-text Manuals and Guides for Civic Work in a variety of arenas; and Course Syllabi focusing on Democratic Theory, Practices, and *Skills*.

<http://www.civilsoc.org/>

Site of the Center for Civil Society International that supports the development of civil society with a focus on Russia and Central/Eastern Europe. Includes current research on the topic of Civil Society and a discussion forum on related top/cs.

http://www.maecenata.de/index_en.html

Website of the Maecenata Institute for Philanthropy and Civil Society which promotes knowledge and understanding of civil society and private philanthropy through academic research, documentation and information, and exchanges between academics, public leaders and professionals in the field.

<http://www.arabifa.org/domino/arabifa/aifa.nsf>

Trilingual site of the Arab Initiative for the Freedom of Association dedicated to the improvement of the regulation of associations and the reinforcement of civil society in the Arab countries.

<http://www1.oecd.org/puma/citizens/>

In the context of its activity on "Strengthening Government-Citizen Connections", the OECD studies how countries are developing information and consultation mechanisms that encourage the active participation of citizens in setting public policies. It explores the methods and tools to achieve these aims, as well as approaches to evaluating their effectiveness. Its aim is to support government efforts to strengthen public participation, transparency and democratic accountability, and ultimately, policy effectiveness.

http://www.oecd.org/topic/0,2686,en_2649_34275_1_1_1_1_37405,00.html

Website of the OECD's work in the area of government-citizen relations; reviews various countries' efforts to strengthen access to information, opportunities for consultation and encourage the active participation of citizens in shaping public policies.

Promoting Good Governance

<http://www.ujrc-jordan.org/>

Jordanian NGO that promotes democracy through national dialogue, encouraging political participation, strengthening democratic legislation and expanding the role of civil society.

<http://www.ceetrust.org/>

Trust for Civil Society in Central & Eastern Europe, which aims to support the stabilization of civil society in Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovakia and Slovenia.

<http://www.worldbank.org/mdf/>

Website of the Mediterranean Development Forum (comprised of Middle East and North African think tanks, the UNDP, and the World Bank Institute), dedicated to empowering civil society to participate in shaping public policy. Includes project information and papers presented at various conferences on issues such as decentralization, governance, development, institutional reforms, and civil society.

DIRECTORIES AND DATABASES

<http://www.wmd.org/>

Website of the World Movement for Democracy - a global network of democrats (activists, practitioners, academics, policy makers, and funders), who cooperate in the promotion of democracy. Includes lots of useful material, such as a list of electronic newsletters, workshop reports, information on regional and functional networking, and an extensive resource database.

<http://www.pdgs.org/main-orga.htm>

Website of the *Partnership for Democratic Governance and Security (PDGS)*, which is an information, education and development alliance that promotes and supports democratic governance and capacity-building of civilian institutions in emerging democracies. Includes information and contacts from around the world in the field of democratic governance, security and civil-military relations, as well as a large collection of documents, policy instruments, practical experiences and reports.

<http://www.ned.org/dbtw-wpd/textbase/participants-search.htm>

Database of the World Movement of Democracy searchable by organization, individual, topical, country and regional focus.

http://www.grc-exchange.org/org_data/index.html and

http://www.grc-exchange.org/info_data/index.html

Website of the Governance Resource Centre (GRC) of the UK Department for International Development (DFID), Has an *Information Database* with

brief, policy oriented summaries of the best writing on governance, providing contact information on the author and associated organizations, plus access to the full text online or through the document delivery service; and an *Organization Database* with summaries of the key organizations working in the field of governance.

<http://lgi.osi.hu/experts/>

Database of the Open Society Institute on of central and eastern European experts in the field of administration, education and public policy from transition countries. Searchable by areas of expertise, country experience and language skills.

<http://www.developmentgateway.org/>

Interactive portal for resources (articles, books, tools, websites, best practices, programs, documents, polls, etc.) on issues such as civic engagement, democracy, decentralization, policy making, civil society, participation, community-driven development, etc.

<http://www.ipu.org/>

Website of the Inter-Parliamentary Union specialized in the promotion of representative and parliamentary democracy; has a database of parliamentary information (electoral systems, election results, etc.) for all countries with a national legislature, as well as a searchable online library for books and articles dealing with parliamentary law and practice.

<http://www.ifes.org>

Website of the International Foundation for Election Systems, has a links sections with a database on elections and political information, and an election guide for dates, information and results.

<http://www.corisweb.org/>

Transparency International's Corruption Online Research & Information System (Coris), a web portal and database on anti-corruption resources, searchable by themes or countries, which includes reports, books and periodicals, legal texts, research papers, conference proceedings, weblinks, information about anti corruption experts, projects, courses and events worldwide, and a news archive.

<http://www.worldbank.org/wbi/gac>

Website of the World Bank Institute on improving governance and controlling corruption; contains action-oriented learning and capacity-building tools, anti-corruption resources, online auricles, and a databank of governance-related materials.

<http://www.iidemocracy.coe.int>

Website of the International Institute for Democracy, which encourages

Promoting Good Governance

cooperation between governmental, non-governmental and inter-parliamentary organizations, as well as between national parliaments, with a view to promoting and strengthening pluralistic democracy. Includes a comprehensive monthly Clearing House Review of information on recent publications from institutions around the world covering such topics as elections, civil society, human rights, corruption, media, public administration, and women. ”

HANDBOOKS AND TOOLS

http://www.gtzsfdm.or.id/documents/library/on_dec/GTZSectorGuideline_Decent2001.pdf

Online sector guideline on “Decentralization,” exploring the significance of decentralization for development policy and describes the standards GTZ applies for activities in this field.

<http://www.gtz.de/themen/political-reforms/download/fl-dezentralisierung-engl.pdf>

GTZ handbook on sectoral guidelines for Decentralization.

<http://www.undp.org/dpa/publications/governance.html>

Online publication by the UNDP on issues related to democratic governance, such as civil society, accountability and transparency, decentralization, electoral support, governance, and public administration.

<http://www.freedomhouse.org/>

Website of Freedomhouse, which does research, advocacy and training with regard to the world’s young democracies, which are coping with transition, dictatorship, and political repression. The page includes information on programs, annual country-by-country studies and democracy ranking lists.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnach300.pdf

Online practical guide to USAID officers who are faced with the task of developing program activities in the areas of decentralization and democratic local governance. Provides a conceptual framework; guidance for choosing successful programming strategies, for selecting entry points and tactics in program design and implementation, and for mission monitoring and evaluation; and a discussion of key lessons learned and future programming issues.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacm007.pdf

Practical guide for Promoting Judicial Independence and Impartiality; helps to design and implement programs that strengthen judicial independence.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacrf631.pdf

Manual for managing assistance in support of political and electoral processes based on USAID expertise and case studies.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacrf223.pdf

Guide on political finance and increasing transparency in emerging democracies.

http://www.usaid.gov/our_work/democracy_and_governance/publications/pdfs/pnacrf632.pdf

Handbook on legislative strengthening strategies.

<http://www.eldis.org/manuals/toolspart.htm>

The manuals and tools section of the ELDIS website includes a sub-link on 'governance', listing practical guides and handbook produced by various sources on governance-related issues.

http://www.int-idea.se/publications/democracy_at_local_level/index.htm

Handbook on participation, representation, conflict management and governance ("Democracy at the Local Level").

http://www.sdc.admin.ch/ressources/deza_product_e_58.pdf

Online guide to decentralization published by the Swiss Agency for Development and Cooperation.

<http://www.iula-int.org/iula/upload/template/templatedocs/promotingparticipatorylocalgovernance.pdf>

Online sourcebook on "Local Government Associations: Promoting Participatory Local Governance" by Marco Velasco, International Union of Local Authorities, 1999.

⇒ REGIONAL FOCUS

<http://lawcenter.birzeit.edu/>

Website of Birzeit University's Institute of Law whose two main objectives are to contribute to the rehabilitation of the legal professions and to the Palestinian legislative process through applied legal research, legal education and establishing comprehensive and modern legal information and

documentation resources and facilities. The latter includes the Palestine Legal Databank System, or *Al-Muqtafi*, which consists of inter-connected databases, with indexing and search facilities. The link <http://lawcenter.birzeit.edu/arabic/pg/> contains a collection of all legislation printed in the *Palestine Gazette*, since 1994, as published by Diwan Al-Fatwa wa-Tashri of the Ministry of Justice.

<http://www.arts.mcgill.ca/programs/polisci/faculty/rexb/unsco-ruleoflaw/index.html>

Comprehensive UNSCO report on status and prospects rule of law development in the Palestinian territories.

<http://www.usip.org/pubs/peaceworks/pwks48.pdf>

Online publication: Brown, Nathan. *The Palestinian Reform Agenda*. Deals with issues related to reforms, the constitution, public finance, the judiciary, and local government.

<http://www.passia.org/>

PASSIA is an independent think-tank which seeks to present the Palestinian Question in its national, Arab and international contexts through academic research, dialogue and publication. PASSIA's projects include training programs for civil society empowerment (<http://www.passia.org/seminars/seminars-civil.htm>) and programs on governance issues (http://www.passia.org/index_projects.htm).

<http://www.piccr.org/about/about.html>

PICCR is the first National Human Rights Institution in the Arab World. Its mandate is concentrated on ensuring respect for citizens' rights in Palestine through constantly striving to uphold respect for the rule of law by all official bodies. Among other things, PICCR houses two specialized libraries in the field of human rights, democracy and law and undertakes legal research and reviews.

<http://www.miftah.org/>

The Palestinian Initiative for the Promotion of Global Dialogue and Democracy, MIFTAH, is dedicated to fostering democracy and good governance within the Palestinian society in a manner that promotes public accountability and transparency while maintaining the free flow of information and ideas.

<http://www.adalah.org/eng/index.php>

Adalah – The Legal Center for Arab Minority Rights in Israel – aims to achieve equal individual and collective rights for the Arab minority in Israel in different fields including land rights; civil and political rights; cultural, social, and economic rights; religious rights; women's rights; and prisoners' rights.

<http://www.baladnayouth.org/whorwe.shtml>

Baladna is an Arab-Israeli organization which aims to create an internal Palestinian political culture based on pluralism and democracy, not factionalism, and to emphasize gender equality. It serves as a framework for strengthening youth and for enabling them to express their potential in leadership, creativity, and culture.

<http://www.alhaq.org/>

Al-Haq is a Palestinian organization that works on raising awareness of human rights violations, disseminating information on human rights principles and building structures that ensure respect for human rights and the rule of law.

<http://www.pchrgaza.org/>

Central to PCHR's mandate is the importance of ensuring that the laws and practices of the PNA are in accordance with international human rights standards, and that the rule of law is supported.

<http://www.pcpd.org/>

Activities aim to strengthen the democratization process; Activities aim to encourage citizen participation in politics; Training local government on planning in crisis. Respect for human rights, tolerance, participation, accountability and rule of law are the pillars of the Center's activities.

<http://www.muwatin.org/>

Muwatin, The Palestinian Institute for the Study of Democracy, promotes the study and development of democracy in Palestine and in the region and is committed to playing role in the process of democratic transformation.

<http://www.arts.mcgill.ca/programs/polisci/faculty/rexb/unscoruleoflaw/index.html>

Comprehensive UNSCO report on status and prospects rule of law development in the Palestinian territories.

MIDDLE EAST

http://www.ceip.org/files/projects/dlr/dlr_home_060903.ASP

Democracy and Rule of Law project of the Carnegie Endowment for International Peace; examines the state of democracy and successes/failures in democratic transitions, with a focus on political change in the Middle East, rule of law development, and political party strengthening. Includes articles, essays and a monthly newsletter on Arab reforms.

<http://www.undp-pogar.org/>

Information Portal of UNDP's Program on Governance in the Arab Region

Promoting Good Governance

aimed at capacity building in the fields of Rule of Law, Participation, and Transparency and Accountability. Includes resources on governance in the Arab states such as essays, publications, studies, databases and web links.

<http://www.ujrc-jordan.org/>

Website of Al-Urdun Al-Jadid Research Center (Jordan); main fields of work include civil society and democratic development, human rights and electoral and parliamentary studies.

<http://www.lcps-lebanon.org/>

Lebanese Center for Policy Studies undertakes local and regional policy-oriented research on various topics, including Democracy and Governance, and Civil Society.

<http://www.cggl.org>

Website of the Campaign for Good Governance in Lebanon/Center for Democracy and the Rule of Law which works on strengthening democracy, upholding the rule of law, advancing democratic values, practices and institutions, training citizens and leaders, and monitoring anti-democratic practices.

<http://www.arabifa.org/domino/arabifa/aifa.nsf>

Trilingual site of the Arab Initiative for the Freedom of Association dedicated to the improvement of the regulation of associations and the reinforcement of civil society in the Arab countries.

<http://www.assr.org>

Rich resources page of the Arab Social Science Research network of the Arab Institute for Studies and Communication (AISC). Resources are organized by type of, by topic and by country. Its virtual library serves as a gateway for Arab social scientists and for others studying the Arab world.

<http://www.soas.ac.uk/Centres/IslamicLaw/>

Website of the SOAS Center of Islamic and Middle Eastern Law (CIMEL); analyzes the various systems of law at work in the Islamic and Middle Eastern world and promotes the rule of law. Includes lectures, a virtual library of Islamic and Middle Eastern Law materials, reading lists and study information, as well as information on specific projects.

<http://www.css-jordan.org/>

Site of the Center for Strategic Studies at the University of Jordan, Amman; runs regular polls on government performance and democracy in Jordan (see especially <http://www.css-jordan.org/polls/index.html>).

<http://www.islam-democracy.org/index.asp>

Website of the Washington-based Center for the Study of Islam & Democracy (CSID), which is dedicated to studying Islamic and democratic political

thought and merging them into a modern Islamic democratic discourse. Contains the *Muslim Democrat*, a quarterly newsletter with articles, book reviews, and event announcements, as well as conference papers, articles, reports and a link section related to Islam and Democracy.

<http://www.worldbank.org/mdf/>

Website of the Mediterranean Development Forum (comprised of Middle East and North African think tanks, the UNDP, and the World Bank Institute), dedicated to empowering civil society to participate in shaping public policy. Includes project information and papers presented at various conferences on issues such as decentralization, governance, development, institutional reforms, and civil society.

EASTERN EUROPE / FORMER USSR

<http://www.cipdd.org/cipdd/prod03.htm> (Georgia)

Online version of *The Army And Society In Georgia (A&S)*, an English language monthly bulletin of the Center for Civil-Military Relations and Security Studies.

<http://www.parlament.org.yu/>

Website of the People's Parliament working towards the development of civil society in Serbia; projects focus on democracy, civil society, youth, conflict resolution, good governance, and human rights.

<http://www.abanet.org/ceeli/>

The Central European and Eurasian Law Initiative (CEELI) - a project of the American Bar Association - advances the rule of law by supporting the legal reform process in Central and Eastern Europe and the former Soviet Union.

<http://www.ngonet.org/>

An electronic networking resource for NGOs in Central and Eastern Europe and the former Soviet Union; includes a database of NGOs in these areas, as well as resources, relevant links, programs and an electronic library.

<http://www.idee.org/>

Website of the Institute for Democracy in Eastern Europe; information on East European civil society initiatives for democratization; newsletter, and links.

<http://lgi.osi.hu/index.html>

Website promoting local government, decentralization, public policy and public administration reform in Central and Eastern Europe and the former Soviet Union; includes a database on activities/programs in the area of local

Promoting Good Governance

democracy and cross-border cooperation, a database of experts working in public policy and public administration, as well as articles, discussion papers and links.

<http://www.ceetrust.org/>

Trust for Civil Society in Central & Eastern Europe, which aims to support the stabilization of civil society in Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovakia and Slovenia.

<http://www.nobribes.org/>

Website of the Anti-Corruption Gateway for Europe and Eurasia, a portal of anti-corruption information, strategies, project documentation, tools, legislation, news, survey results, and research with regard to countries in Eastern Europe and the Former Soviet Union. Includes also a online library and assessment resources.

<http://www.pili.org>

Website of the Public Interest Law Initiative in Transitional Societies, which strives to help the development and networking of public interest law communities in Central and Eastern Europe, Russia and Central Asia. Includes full-text publications concerning both the education and practice of the legal defense of the under-represented and a bibliographical database of additional sources.

<http://www.civilsoc.org/>

Site of the Center for Civil Society International that supports the development of civil society with a focus on Russia and Central/Eastern Europe. Includes current research on the topic of Civil Society and a discussion forum on related topics.

SOUTH AFRICA / AFRICA

<http://www.eisa.org.za/>

Website of the Electoral Institute of South Africa, which aims to strengthen electoral processes, good governance, human rights and democratic values targeting governments, electoral commissions, political parties, civil society organisations and other institutions operating in the democracy and governance fields.

<http://www.idasa.org.za/>

Website of the Institute for Democracy in South Africa (Idasa) that promotes democracy in South Africa by building capacity for democracy in civil society and government.

<http://www.afrobarometer.org/>

Undertakes and publishes online a comparative series of national public attitudes surveys on issues such as democracy and civil society in Africa.

<http://www.cdd.org.uk/>

Website of the Centre for Democracy and Development, which promotes democracy in Africa and works in the areas of governance, human rights, peace & security, etc. Has a resources section with full text articles and other materials.

<http://www.cssra.org/>

Website of the Civil Society State Relations for Africa (CSSRA) Network serves as an electronic portal of information about civil society legislation in African countries.

